



RAISING THE BAR

A REVIEW OF THE RESTRUCTURING OF THE SAPS FAMILY VIOLENCE,
CHILD PROTECTION AND SEXUAL OFFENCES UNITS



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RAPCAN
protecting children's rights

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EXECUTIVE SUMMARY

In response to the restructuring of the Family Violence, Child Protection and Sexual Offences Units (FCS Units) of the South African Police Service (SAPS) in 2006, RAPCAN undertook a research project aimed at assessing the impact of the restructuring on services to victims, and reviewing these developments in the context of international trends.

During the research project undertaken in 2007/08 workshops were held in the nine provinces involving SAPS personnel, other government departments providing related services, as well as civil society organisations, to build a picture of the status of FCS services since the restructuring, and the central strengths and weaknesses of services both before and after the restructuring. These workshops also obtained the views of participants on what high-quality FCS services should look like and how the quality of these services should be monitored. An extensive literature review was also conducted, which provided data on how such services are conducted in comparable countries, with a view to assessing SAPS policy in the context of international developments and trends.

KEY FINDINGS

The decision taken by the SAPS to restructure its FCS Units and redeploy personnel to cluster and station level had a profound effect on the nature of services delivered to victims as well as on the personnel that provide these services. Generally, the findings reflect that the trajectory towards increased specialisation in FCS cases that was apparent before the restructuring has been reversed by the decision to restructure. There is no longer a national pattern that demonstrates dedicated officers, dedicated resources, and specialised management for cases within the FCS mandate.

Before the restructuring

- ▶ The service consisted of a mix of FCS and Child Protection Units with varying approaches to addressing the full mandate of the Unit. Units served relatively small, primarily urban, sections of the country, although some rural areas also received services.

- ▶ These services focused only on cases within the FCS mandate, while Units in some provinces acted only in relation to parts of the mandate.
- ▶ The nature of the FCS service was becoming more sophisticated. This was noted in terms of the introduction of forensic social workers in some provinces (Western Cape, etc.).
- ▶ FCS officers were specifically selected for the job, and most often also received specialised training. FCS officers actively applied to work in the Units, making career path decisions to specialise in this area of investigations. Officers could plan career paths within the specialised Units.
- ▶ Officers were managed and supervised by detectives with often significant experience in these investigation of cases with the FCS mandate.
- ▶ There was generally a high level of commitment to the job, notwithstanding high levels of job stress and some resource constraints.
- ▶ Some provinces seemed to be vastly more resourced than others in terms of number of personnel, as well as the nature of personnel available (e.g. the Western Cape).
- ▶ Units had dedicated resources. These resources included: office premises that were separate from the SAPS stations, vehicles, appropriate rooms for the interviewing of victims, communications infrastructure (i.e. telephones, cellphones, Internet access, computers, administrative staff).
- ▶ FCS Units were allocated budgets which were managed in terms of the needs and priorities of the Units. This included funds to support overtime work undertaken.

After the restructuring

- ▶ The service continues to consist of a mix across the country, again with great variations in relation to the cases addressed in relation to the full mandate of the Unit.
- ▶ The geographical distribution of the service seems to have been extended into some new rural areas. However, in some cases, this seems to have been at the expense of some areas that were previously covered. The new cluster-level system has resulted in officers having to cover smaller geographical areas than previously required.

- ▶ Officers in some provinces (i.e. North West, Mpumalanga) reported no longer being dedicated to the investigation of cases in the FCS mandate, but also being required to investigate other cases.
- ▶ The inter-sectoral relationships with other organisations required for the delivery of services were reported to have been disrupted and in one case, to have collapsed due to the restructuring.
- ▶ New FCS officers brought into the system as part of the restructuring process did not seem to have undergone any specific selection or screening processes such as psychometric tests. Officers seem to have been deployed into FCS work without specifically choosing this area of work.
- ▶ New officers had not undergone specialist FCS training. Some may have received detective training. Some newly deployed staff did not have driver's licences (Northern Cape). The statement-taking skills of new officers were raised as a problem in KwaZulu-Natal and North West.
- ▶ FCS officers were managed and supervised by Heads of Detectives at station or cluster level (except in the Western Cape). Reportedly, few of these had an understanding of FCS cases.
- ▶ As a result of the restructuring, officers in four provinces (i.e. Eastern Cape, Gauteng, North West, Mpumalanga) reported levels of uncertainty, demoralisation and apathy.
- ▶ Generally, resources allocated to the specialised Units were devolved to station and cluster level, although there are some exceptions (e.g. the Port Elizabeth area and the Western Cape [at the time the data was collected]).
- ▶ Generally, FCS services in provinces no longer had dedicated separate facilities which could be utilised for working with victims. Where FCS services are now located in premises that used to house FCS Units, some special facilities are still available to them such as victim-friendly rooms (e.g. Eastern Cape). Generally services are delivered out of SAPS stations, rather than other facilities that may be more appropriate for victims.
- ▶ FCS officers were deployed to new areas where no specialised resources such as victim-friendly rooms were available. Some provinces reported that telephones and computers were no longer dedicated to FCS work.
- ▶ FCS services no longer have their own identifiable budgets. Issues relating to funds for the service were reported to be unclear as even stations and clusters could not explain how services were to be funded, and how resourcing should be motivated for.

KEY CONCLUSIONS

- ▶ The current system of delivery of FCS services represents a reversal in historical developments in South Africa aimed at offering a skilled, specialised service to complainants in FCS-related cases that are premised on dedicated resourcing, specialised training and specialised management.
- ▶ The current structure for the provision of FCS services is unable to offer continued specialisation of officers nationally, dedicated resourcing, and specialised management and oversight of FCS cases.
- ▶ The policy objective to prioritise crimes against women and children cannot be realised under the current structure.
- ▶ The current situation represents an absence of political will in government and in SAPS in relation to the prioritisation of victims, especially in terms to crimes against women and children. Services have been devolved to local level without an articulated national strategy, specialised management and oversight, and dedicated budgets and resources.
- ▶ The decision by the SAPS to devolve all area level services to cluster and station level did not take adequate account of the nature of FCS services, and the impact of the restructuring on the quality of services.
- ▶ The process of restructuring in 2006 (which affected all the provinces except for the Western Cape) resulted in confusion and uncertainty both internally in the SAPS and externally among civil society organisations, other government service-providers and the general public due to significant weaknesses in SAPS communications. This effect was felt also in the Western Cape where no restructuring took place during that period.
- ▶ The restructuring resulted in the placement of FCS staff in service-delivery positions that: (1) were not suitably trained, (2) were not suitably experienced, (3) did not undergo special screening or selection, (4) had not specifically elected to work on FCS cases, (5) did not have some of the basic requirements to undertake the job, e.g. driver's licences.
- ▶ The process of restructuring, which included the redeployment of existing FCS personnel, resulted in demoralisation and demotivation on the part of FCS officers.
- ▶ The restructuring in 2006 resulted in a weakening of the quality of services provided nationally, accompanied by some increase in access to services.
- ▶ South Africa is out of step with comparable poor and middle income countries in the world in effectively shifting away from specialised services.
- ▶ South Africa's government is out of step with developments in some comparable countries which have demonstrated significant political leadership in relation to responding to crimes against women and children.

- ▶ South Africa is out of step with comparable countries in relation to the creativity applied to addressing some of the crime problems within the FCS mandate.
- ▶ Inter-sectoral collaboration with stakeholders required to deliver essential services to victims has suffered due to the restructuring.
- ▶ Victims have been impacted negatively through the process of the restructuring and are currently exposed to services of questionable quality in many areas.
- ▶ The current approach to measuring the effectiveness of services needs to be reviewed, especially in terms of reducing reporting.

RECOMMENDATIONS

- ▶ The government as a whole needs to provide political and strategic leadership in relation to the imperative to respond more effectively to victimisation. In an environment with high levels of victimisation, and where specific policy exists to prioritise certain crime categories, the ongoing critical review of strategies to implement policy is essential.
- ▶ The SAPS needs to recognise that its restructuring plans were flawed, specifically in relation to their impact on FCS services and accept that remedial actions will need to be taken. This is necessary to restore public confidence in the SAPS, and particularly in its commitment to prioritising crimes against women and children.
- ▶ The SAPS needs to undertake a revision of the current structure for the delivery of FCS services. The focus should be on ensuring a continued increase in access to services, with a concomitant focus in ensuring the quality of these services. In all likelihood, this will require a shift away from station and cluster-level management to a more centralised management of the service, notwithstanding the location of the service at a more local level.
- ▶ The SAPS should develop and publicise a national plan for the delivery of this service, which adopts a short to medium-term orientation. This is also necessary for the restoration of public confidence in the SAPS's commitment to serving victims. This plan should set out a strategy for the achievement of high-quality services at an increasingly broader scale. The requirements for such a plan are detailed in the report.

PART 1

BACKGROUND INFORMATION AND LITERATURE REVIEW

INTRODUCTION

In 1986, the South African Police Service (SAPS) established specialised Child Protection Units dedicated to the function of investigating crimes against children. In 1995, a decision was taken to broaden the mandate of these Units to operationalise the SAPS policy of prioritising the combating of violence against women and children. These Units were then renamed the Family Violence, Child Protection and Sexual Offences Units (FCS Units).¹ By 2006, it was reported that there were 49 FCS units in the country as well as 17 units that still operated under the mandate of Child Protection Units.²

The FCS Units are complex entities as they respond to several categories of crime, as well as behaviour that is not directly criminalised. The mandate of these Units comprises three broad categories, i.e. 1) Family Violence but not including murder; 2) Child Protection, which includes all offences against child victims as well as matters arising from the then Child Care Act of 1983, the Films and Publication Act of 1996, and the Domestic Violence Act of 1998; and 3) Sexual Offences for all adult victims.³

In 2006, the SAPS announced a national restructuring, which primarily constituted the shifting of a wide range of services situated at 'area' level, either downwards to station-level or to the provincial level. This restructuring process had a profound effect on the FCS Units which were one set of specialised services that were located at area level. In essence, the new SAPS policy disbanded FCS Units, at the 'area' level and 'unbundled' and devolved these to operate at station level, seemingly with the primary intention of increasing access to these services.

This reconfiguration was met with opposition from civil society, principally advancing the concern that the specialised capacity that had been developed in the Units for the investigation of these crime categories would be lost when devolved to station level. Central to these concerns was the belief that

this change would be detrimental to victims of crime and that direct services would be weakened.

A year into the restructuring, little data was forthcoming as to the actual impact of the restructuring on services to victims, and it was to this question that this research project addressed itself. It sought, firstly, to conduct an assessment of FCS service provision in the country, with a view to assessing these services both before and after the 2006 restructuring process. Case studies were gathered to provide an illustration of the strengths and weaknesses of these services both before and after the restructuring to offer a richer, more concrete view. In order to establish a point of comparison against which to assess services before and after the restructuring, this project sought to develop a framework of what a high-quality FCS service ought to consist of. Finally, in looking forward, the review aimed to establish how these services should be monitored in order to consistently understand their status and effectiveness.

BACKGROUND TO THE REVIEW

The restructuring of the area-level services, including the FCS units, began in earnest in 2006, with only the restructuring plan relating to the FCS units resulting in significant public reaction. The rationale for the restructuring was explained by the SAPS as being motivated by the need to increase access to services for as many victims. The view was articulated that this could only be done by making specialised services available at station level. The SAPS stated:

The abuse and violation of women and children takes place in a policing precinct. The first place where a sexual offence against a child (for example) is reported is at a police station. Currently, FCS Units are not based at police stations, but at separate offices a distance apart with a single unit often serving a total of 28 police stations. The police officials at these units are sometimes not readily available after hours and over weekends which can result in a child-victim and his or her parents waiting up to two or three days for expert assistance from the police.

1 South African Police Service. www.saps.org.za

2 Sen. Supt. Anneke Pienaar quoted in: 'Police Child Protection Unit will Stay', *The Cape Argus*, 18 May 2006

3 South Africa Police Service http://www.saps.gov.za/org_profiles/core_function_components/fcs/crimes.htm

This can cause a vital delay in medical intervention, the loss of evidence and the disappearance of a perpetrator.⁴

The then Police Commissioner, Jackie Selebi, stated:

The intention and indeed the end result are to ensure that these services are available 24 hours a day where they are most needed, at the local police station, close to the homes of the victims easily accessible, readily available, by skilled and trained personnel. There is the utmost commitment from management to ensure that skills are not lost, but are in fact enhanced and transferred...

As notable in the statement above, concerns relating to the skills of police officials were also explicit in SAPS communications relating to the restructuring. Statements indicated that, embedded in the plan to make services more accessible was the intention of transferring skills. While no details were provided, Selebi stated:

Police officials and police units cannot operate in cocoons of expertise, only sharing their skills when available and time permits. This results in a tardy service to the community. The restructuring process will ensure better organisation, the sharing of expertise and skills and the availability of essential policing services where they are needed most, within all communities.⁵

The stated long-term objective of the plan was:

...to ultimately ensure that every member at every police station has the necessary skills and expertise to professionally assist and advise child victims and their guardians and to expedite the investigative procedures.⁶

The SAPS stated that the first step towards this restructuring was the alignment of the SAPS with the Constitution by shifting from four levels of service (i.e. station/local, area, provincial and national) to three levels (i.e. station/local, provincial and national). The SAPS stated:

The restructuring process will phase out the area office, reduce the number of divisions, make the national and provincial offices leaner, resulting in large numbers of personnel, including specialised units, migrating to police stations. A police station is the nucleus of policing, the first contact that the community has with the police is at a police station, therefore, it became imperative to strengthen police stations in order to make the SAPS effective and efficient, and to improve service delivery to the community.⁷

In practice, the SAPS plan was to reorganise the FCS units in order that each Unit would serve a cluster of around five or six police stations. This, it was noted, would improve on the previous situation of each Unit serving around 28 police stations.⁸

The SAPS also stated that these officers, when deployed to stations, would:

...whilst performing their functions as FCS detectives, train police officials at each police station to render a skilled service to victims of family violence and sexual offences. More police officials will be trained at the stations as the process advances.

The SAPS pointedly stated that FCS detectives would remain specialised at station level and would not be required to undertake detective work in relation to other cases.⁹

The announcement of the SAPS restructuring of FCS services brought with it some bewilderment for civil society and government agencies alike. Detective services relating to sexual offences, family violence and child protection had seemed to be on a trajectory towards specialisation since the late 1980s with the introduction of the Child Protection Units. This trajectory was confirmed in 1995 with the shift towards FCS units, which broadened the mandate of Child Protection Units to also address certain issues relating to adults. The development of the FCS Units since 1995 confirmed an approach to these detective services that included: dedicated human resources, specialised training, dedicated resources and infrastructure (such as buildings, vehicles, communications infrastructure, and administrative capacity), and specialised management.

Particularly in relation to the criminal matters addressed by these Units, the course towards greater specialisation in the detection of these offences was matched with concomitant developments in other parts of the criminal justice system, most notably in the prosecution service and the court system. Specialised sexual offences courts were introduced in the early 1990s and extended in the criminal justice system. The National Prosecuting Authority (NPA) began to establish Thuthuzela Centres for the management of sexual offences cases in the mid-1990s, with a strong focus on the improvement of convictions in relation to these matters, which were also being extended around the country. The NPA also began introducing specialisation in relation to its prosecutors in relation to sexual offences. The restructuring brought with it concerns that this policy of specialisation would, *in effect*, be reversed.¹⁰

It is also worth noting that these changes took place as

4 SAPS Press Release, 22 May 2006. www.saps.gov.za

5 SAPS Press Release, 22 May 2006. www.saps.gov.za

6 SAPS Press Release, 22 May 2006. www.saps.gov.za

7 Selby Bokaba, SAPS Director of Communications. Response to South Africa: The Good News, 19 July 2006. <http://www.sagoodnews.co.za>

8 SAPS Press Release, 22 May 2006. www.saps.gov.za

9 Selby Bokaba, SAPS Director of Communications. Quoted in: 'CPU redeployment plan is 'retrogressive'', J Keet, Independent Online, 4 May 2006.

10 Samantha Waterhouse, Advocacy Manager, RAPCAN; Susan Kreston, Professor of Law and Research Fellow, University of the Free State. Quoted in: 'Child abuse expert says SA not on track', D Caelers, *The Cape Argus*, 30 January 2007.

two major policy processes relating to improved services to victims began to take root. The Service Charter for Victims of Crime, a policy initiative led by the Department of Justice and Constitutional Development seeks to establish a framework of rights for victims of crime,¹¹ as well as a set of standards for the delivery on these rights.¹² The SAPS is a central partner to this initiative. The Victim Empowerment Programme (VEP), which is led by the Department of Social Development, of which the SAPS is also a key partner, seeks to establish a comprehensive national programme for the provision of services to victims. This programme prioritises women and children as victims of crime, and the delivery of services to these groups.

While recognising and acknowledging the positive intentions behind the SAPS plan,¹³ its overall implications were questioned by civil society organisations, which primarily raised concerns relating to the quality of service delivery to victims. A range of themes dominated the statements of civil society commentators in response to the SAPS plans for restructuring. These included the following:

- ▶ Specially trained FCS detectives would be utilised for the investigation of other cases when they were deployed to station level and would no longer be dedicated to the investigation of cases within the FCS mandate.¹⁴
- ▶ Victims would be exposed to secondary trauma due to their handling by personnel who did not have appropriate training or experience.¹⁵
- ▶ The new managers of FCS detectives at station level would be unequipped to provide specialised management and direction to their staff.¹⁶
- ▶ The SAPS had not consulted with civil society on the proposed changes and did not completely grasp the implications of the changes, specifically in relation to their impact on victims.¹⁷
- ▶ In sharing information with each other, civil society observers also noted significant differences in how the restructuring was being operationalised in the different provinces.¹⁸

11 Department of Justice and Constitutional Development. 2004. *Service Charter for Victims of Crime in South Africa*. Pretoria: Department of Justice and Constitutional Development.

12 Department of Justice and Constitutional Development 2004b. *Minimum Standards on Services for Victims of Crime in South Africa*. Pretoria: Department of Justice and Constitutional Development.

13 Lisa Vetten, Tshwaranang Legal Advocacy Centre for Abused Women. Quoted in: 'Abuse Reporting will Drop - NGOs', B Enoch, Independent Online, 26 September 2006.

14 Susan Kreston, Professor of Law and Research Fellow, University of the Free State. Quoted in: 'Child abuse expert says SA not on track', D Caelers, *The Cape Argus*, 30 January 2007.

15 Shahieda Omar, the Teddy Bear Clinic for Abused Children and Miranda Friedman, Women and Men against Child Abuse. Quoted in: 'Abuse Reporting will Drop - NGOs', B Enoch, Independent Online, 26 September 2006.

16 Samantha Waterhouse, Advocacy Manager, RAPCAN. Quoted in: 'Child abuse expert says SA not on track', D Caelers, *The Cape Argus*, 30 January 2007.

17 SAPS Briefing to Civil Society Organisations, ISS Seminar, 31 May 2006.

18 'Child abuse expert says SA not on track', D Caelers, *The Cape Argus*, 30 January 2007.

Civil society organisations also raised concerns relating to the failure of the SAPS to provide information to the public and its service partners about the changes it would be making.¹⁹

RAPCAN was among the many civil society organisations that expressed reservations about the SAPS plan. It became clear, however, that little information was available to provide an understanding of the impact of the restructuring on service delivery. Given RAPCAN's strategy to undertake its advocacy work from an evidence-based perspective, it embarked on this research project to generate the kind of information that would enable such an assessment.

METHODOLOGY AND LIMITATIONS OF THE REVIEW

This research project sought to gather information as to the functionality of the FCS services both before and after the SAPS restructuring process. The central question it sought to address was whether the SAPS restructuring had taken South Africa closer to its objectives in terms of improving services to victims or whether it has resulted in a weakening of these services. While much of the SAPS communication relating to the restructuring focused on the issue of increasing *access* to these services, civil society commentators raised questions relating to the *quality* of these services. Therefore, these two themes became central to questions addressed by the study. The study also sought to develop a baseline in terms of what should be defined as a high-quality service in relation to FCS services. It was believed that such a baseline would be important in order to measure current and future services against, and this became one of the questions addressed in the data-collection process.

This research project also sought to do two additional things. Firstly, it was considered necessary and important to understand developments in South Africa within the international context, and a literature review was undertaken to facilitate this comparison. Secondly, this project also adopted a forward-looking orientation and considered questions related to how FCS services could be monitored in the future.

At the outset, this study was established with the intention of gathering data as to the impact of the restructuring on the provision of services. The informants selected to provide this information were those working in the provision of services and not the recipients of services. This methodology was selected for a range of reasons. Firstly, service providers themselves had experience of conditions before and after the restructuring process, and would be able to offer comparisons of strengths and weaknesses of services before and after. Recipients of services were not all likely to have experience of conditions before and after. Secondly, while recipients of services may have been able to testify to *what*

19 Samantha Waterhouse, Advocacy Manager, RAPCAN. Quoted in: 'Child abuse expert says SA not on track', D Caelers, *The Cape Argus*, 30 January 2007.

kind of service they received, they would not have been able to explain the specific reasons behind the nature of service provision. This kind of information would best be gathered from those involved in the delivery of services. Thirdly, the nature and budget of this study did not allow for the significant additional resources that would be required to ethically engage directly with victims. The findings of this study are therefore limited by the fact that they are based on data provided by service providers, and do not present the views of service users.

The methodology was established with the recognition that policing services represent the entry point to a wider range of inter-sectoral services that may be required or accessed by victims. These include, among others: counselling and therapeutic services, court preparation and support, shelters, medical services, material support, legal advice and assistance, prosecution services, etc. Many of these services interact in direct ways and are dependent on policing services. Such service providers were also considered to be important informers in relation to service delivery and were also invited to the data collection workshops.

Given the focus of this study on service delivery, it does not attempt to offer any detailed findings on issues internal to the SAPS such as its human resources policy and management, planning processes or communications strategy. However, a great deal of the evidence many provide some clues as to the impact of these on service delivery.

Methodology

The methodology consisted of a series of nine workshops, one in each province, as well as a literature review.

Provincial workshops

Data was collected through nine provincial workshops which were held between July 2007 and February 2008.

The central questions addressed in these workshops were:

- ▶ Defining what is a high-quality service. Including:
 - ▷ What cases should FCS Units be handling, and what functions/activities should they provide in relation to these cases?
 - ▷ Where should FCS services be located?
 - ▷ Who should be providing these services? What skills and personal characteristics should they have?
 - ▷ What resources and other forms of support should they have?
- ▶ Assessment of FCS services before and after the restructuring.
 - ▷ Which cases were and are being dealt with?
 - ▷ Which police officials were and are currently dealing with cases?
 - ▷ How accessible were services to the above victims in terms of location, and area of operation before and after the restructuring?

- ▷ What resources were available for the provision of these services? Respondents were asked to comment in terms of detectives, vehicles, victim-friendly facilities, other equipment such as computers and cellphones as well as anything else.
 - ▷ The skills and personal qualities of the investigators before and after the restructuring.
 - ▷ The central strengths and weaknesses of FCS services before and after the restructuring.
- ▶ Monitoring services in the future
- ▷ What should be monitored?
 - ▷ What are the indicators for monitoring issues stated above?
 - ▷ How can the above information for monitoring above be accessed?
 - ▷ Whose role should it be to monitor the above?

While FCS officers were seen as important respondents in relation to the above questions, other service providers in the continuum of services to victims in the criminal justice system were also seen as important informers. Therefore, invitations were issued with the intention of assuring the participation of the SAPS officials, the NPA, health professionals, welfare officials and NGOs that provided services to victims. In large measure this aspiration was met. Appendix 2 details representation at the provincial workshops.

For the purposes of uniformity, a date had to be established to represent the period of the restructuring. This was problematic given that the SAPS began to effect changes in different provinces at different times. January 2006 was selected as the 'start date' for the restructuring process. Participants at the workshops therefore assessed services before the restructuring as before January 2006, and after the restructuring as the date when the workshop took place.

It should be noted that the research project made allowances for the fact that some of the respondents in the workshops may still be operating in (or working with) Child Protection Units. All the findings are reported as noted by the respondents.

Literature review

A comprehensive desk-top review was undertaken of international trends relating to the provision of specialised police services victims of crimes against children, sexual offences and family violence. The review focused on gathering information from a range of contexts (poor and middle-income countries, as well as richer countries), while also seeking to compare contexts with and without specialised policing of these crime categories.

The most critical part of the literature review was the identification of countries similar to South Africa in terms of income, size, population, challenges or some other factor (e.g. post-apartheid or post-conflict conditions) and then assessing the arrangements made in these countries in

relation to the crime categories under review. It should be noted that the literature review was limited by the availability of information from various countries, and the selection of the countries reviewed was made based on this availability and not a random sampling of countries in the different categories selected for comparison.

Findings, Discussion and Recommendations

The findings of each of the provincial workshops were recorded separately and are provided in the Appendices to this report. The provincial reports were analysed to produce one national overview which is provided in the main body of this report. This national overview was then analysed, in terms of international trends provided in the literature review, as well as other research. This discussion has been integrated into the national overview provided. Recommendations are presented based on this analysis.

Request to the SAPS for Information and SAPS Comment on Draft Report

It should be noted that requests were made on several occasions to the SAPS relating to the following:

1. *Number of detectives and posts*

- ▶ Number of detective posts in the country per province, before January 2006
- ▶ Number of detective posts in the country per province, currently
- ▶ Number of above posts that are occupied
- ▶ Number of above posts that are in management positions
- ▶ Support function posts allocated to FCS services per province (administration, etc.)

2. *Dedicated FCS resources*

- ▶ Budgets available for FCS services per province in the 2005/06 budget
- ▶ Budget for FCS services per province in the 2006/07 budget and 2007/08 budget
- ▶ Number of dedicated vehicles prior to January 2006
- ▶ Number of dedicated vehicles currently

3. *Training*

- ▶ Number of fully trained detectives currently, per province
- ▶ Number of detectives to be trained in 2007 and 2008
- ▶ Outline of contents of the training

The above information was required in order to verify some of the information that emerged from the workshops, reported in the appendices and presented in Tables 1.1 and 1.2 in Appendix 2 of this report. This information was not provided by the SAPS and such verification was therefore not possible.

A draft report (prior to the writing of conclusions and recommendations) was forwarded to the SAPS for comment. The SAPS was requested to (1) provide information to correct any inaccuracies presented in the report and to (2) state where its views differed to those of workshop participants or RAPCAN's analysis of the situation, in order that this could also be reported. The SAPS provided no substantive comments and congratulated RAPCAN on the report.

Peer Review

RAPCAN requested three specialist civil society researchers/policy analysts to comment on the draft report, prior to the writing of conclusions and recommendations. Reviewers provided comments on both the structure and substance of the report, which were integrated into the final report.

A Note about the Western Cape

The findings in this report will reflect that no substantial restructuring of SAPS services took place in the Western Cape as a result of the 2006 restructuring process, but that some changes took place in 2004. However, after the data in this report was collected and as this report was being finalised, restructuring of services took place late in 2008. These changes, as far as RAPCAN has been able to discern, are reported in Part 2 on page 56.

LITERATURE REVIEW

Methodology

The study sought to identify countries similar to South Africa in terms of income, size, population, challenges or some other factor (e.g. post-conflict conditions) that provide specialist investigation services in relation to cases that converge with the FCS mandate and address the following questions:

- ▶ Describe the countries providing such services, including the size of the population and geographical area served for comparative understanding.
- ▶ Explain the manner of organising and managing these services: are these integrated with other specialised services within the police and/or other service providers, etc.?
- ▶ Explain partnership arrangements and the method for partnering with other service providers.
- ▶ Identify success rates in terms of investigating and prosecuting these crimes.
- ▶ Identify the training provided to police officers and detectives.
- ▶ Identify the resources specifically allocated to these services.

Data was gathered in relation to ten poor and middle-income countries and is presented in the discussion that follows.

Aside from looking at lessons from developing countries similar to South Africa (with specialised detective services), the following was also under review:

- ▶ What are the arrangements in countries that do *not* have such specialised services? How effective are these arrangements? Five such situations were examined.
- ▶ Upon reviewing five wealthier countries (and 20 different cities within these), what are some *general patterns* to the organisation of their services?

Since three types of situations were distinguished for analysis, much was learnt from comparisons involving 20 countries (10% of the world's states) managing thousands of police stations.

The selection of countries for this review was made based on the availability of the detailed kinds of information required.

Organisation of Sections

This review is organised into the following three sections:

- ▶ **Specialised police units in ten developing nations.** This section examines ten countries from Asia, Africa and Latin America to examine how poor and middle-income countries with challenges similar in one way or another to South Africa conduct specialised services in relation to cases that are similar to the FCS mandate. The chapter concludes with an analysis of this data to identify the patterns.

- ▶ **Five developing nations where no specialised police units exist.** This section examines five countries from around the world where no specialised police units exist in relation to cases that are within the FCS mandate. This section describes how these countries handle their operations.
- ▶ **Specialised police units in five highly developed countries.** This section describes five wealthy countries (the United States, Canada, United Kingdom, Australia and New Zealand) where specialised services to women and child victims are delivered in a most decentralised manner (by city or provinces). Since hundreds if not thousands of police stations are offering these services, this section explores general trends in some 20 cities and regions of these wealthier states. This section concludes with a comparative analysis that not only summarises the findings from wealthier countries but compares them to the specialised police services found in the poor and middle-income countries. This includes some references to South African practices and international norms of good practice.

Specialised Police Units in Developing Nations

There are many specialised police units in poor and middle-income countries that are tasked with the investigation of violence and sexual offences against women and children, and family violence. Practices in ten countries are reviewed under three regional subheadings:

- ▶ *Asia* – India, Malaysia, and Nepal
- ▶ *Africa* – Liberia, Mozambique, Mauritius and Namibia
- ▶ *Latin America* – Argentina, Brazil, and Chile.²⁰

Each country is individually discussed according to five sub-headings:

- ▶ Organisation and Management
- ▶ Collaboration
- ▶ Success rates
- ▶ Training
- ▶ Resources

Of the items noted above, analysing the success of these services presented the most difficulties for this review. In reporting on this issue, a range of different criteria were used by analysts to define success. These included:

- ▶ Conviction rates
- ▶ Reduced secondary trauma to victims
- ▶ Increased access to services for victims, including the support services connected to police services
- ▶ Increased reporting of cases
- ▶ Reduced crime-reporting rates
- ▶ Prevention of crime

²⁰ The tiny countries of Oceania are not discussed in this section since they are less comparable to South Africa whereas Australia and New Zealand are discussed in the section on richer countries.

As may be noted from the items listed, this is a significantly contentious area of discussion. The decision was made to report success in terms of the criteria defined by the sources consulted, and not to make judgements relating to the value of criteria utilised. The definition of success does, however, have a bearing on how the SAPS may address itself to the investigation of cases within the FCS mandate, and this matter is addressed in the main body of this report.

Asia

India: Tamil Nadu's All-Women Police Stations

India at 3.3 million km² is ten times bigger than South Africa in terms of area. It is also thirty times bigger in terms of population – some 1.3 billion people or 17.5% of the world's population. Nonetheless, it is much decentralised such that each of its 35 states and territories are relatively autonomous with their own rules, laws and systems under a federation. The state of Tamil Nadu (62 million people living within 130 058 km²)²¹ is the main focus in this section because it established the first all-women police station in India in 1993 in the town of Chennai.²² Today some 300 All-Women police stations have been established across several Indian states but most of them are still found in Tamil Nadu (about 200, more than one per district).²³

The phenomenon of all-women police stations has now spread globally to include Brazil, Pakistan, Philippines, Colombia, Nicaragua, Peru, Ecuador, and Uruguay to name a few places.²⁴ For instance, there are 3000 women in this role at centres across the Philippines.²⁵ The idea of women police stations in India appears to have begun in 1991 with the Chief Minister of Tamil Nadu, a woman, who felt the need for an anti-dowry cell and for the all women-police stations.²⁶ This global phenomenon raises the central question of whether female police women serve women better than men on issues relating to gender-based violence.

Interestingly, per capita income in India is generally much lower than in South Africa (\$4959 per capita vs. \$724).²⁷ Thus, establishing women police stations in South Africa might be even easier and perhaps more of a policy choice than a financial one. Three of the most common reasons for developing all-female police stations in various parts of the developing world might also apply to South Africa: (1) the social stigma of reporting family problems to strangers in a police station;

(2) the chauvinism of male police officers in male-dominated stations who were seldom empathetic to women; (3) most women beaten or abused by men do not want to speak to men about the problem.

India also has specific issues relating to dowry that have motivated the establishment of these kinds of services. The dowry is a gift of the bride's family to the daughter but some men see this as their payment for marriage (usually in cases of arranged marriages). This leads some men to abuse their wives in many ways: physically, sexually and mentally, as they seek additional dowry from the family. So many deaths owe to this one problem that dowry practices were outlawed in the 1960s but dowry-related violence persisted and increased three-fold between 1990 and 2000. Since 2000, rates rose again by about 38% meaning that at least 6000–7000 women have been murdered each year over dowries. Some argue that low reporting and conviction rates disguise a figure that could be as high as 25 000 per year. Put another way, the National Crime Records Bureau recorded a dowry death every 77 minutes.²⁸

Organisation and management: Some key aspects of the organisation and management of the all-female police stations in India are illustrated in Table 1.

The organisation and management aspect to highlight is the basic fact of having all-female police stations that offer: (a) a place that is perceived as a safe place to report; (b) a more comfortable place to report; and (c) a perception that justice might be served – and this last factor increases reporting levels as indicated further below. Further to this, some of these stations have mobile units to reach the rural areas that include teams: a police officer, an advocate, a doctor, a social worker and a revenue department official to identify and resolve crime problems on the spot.²⁹

Collaboration: The first station was established at Chennai in 1992, apparently with few partners.³⁰ Collaboration seemed to come much later, especially in 2000/01 when an NGO in Chennai, called the International Foundation for Crime Prevention and Victim Care partnered to provide:

- ▶ Training in gender sensitivity and crisis management (for station members);
- ▶ Telephone help lines (installed from 2005 to allow for support and referrals);
- ▶ Trained coordinators at the police stations to give information on support services;
- ▶ Awareness campaigns for violence-free, healthy and safe relationships;
- ▶ Networking with schools, colleges, clubs, residential welfare associations, newspapers, shops and businesses.³¹

21 Wikipedia (27 March 2008) http://en.wikipedia.org/wiki/Tamil_Nadu

22 Government of Tamil Nadu (23 November 2003) <http://www.tn.gov.in/policynotes/archives/policy2004-05/pol2004-05-3.htm>

23 Kandaswamy, Deepa and K. Deepa (Winter 2004) 'Indian Policewomen Practice Policing and Politicking,' <http://www.msomagazine.com/spring2005/indianpolicewomen.asp>

24 Sarah J Hautzinger (undated) http://books.google.co.za/books?id=v8DW72PfNnQC&pg=PA182&lpg=PA182&dq=all+women+police+stations+india&source=web&ots=h_sQLA3bkJ&sig=PexcF_NRvXviKy-5qHdySoY2_Eo&hl=en

25 Reuters (10 March 2008) Manila's All-Women Police Station is a Crisis Centre.

26 Police Department Tamil Nadu (2004) <http://www.tn.gov.in/policynotes/archives/policy2004-05/pol2004-05-3.htm>

27 GNP per capita@Countries of the World (2005) <http://www.studentsoft-heworld.info/inofopays/rank/PNBH2.html>

28 Ruiz, Rebecca (13 September 2006), 'India's All-Women Police Pursue Dowry Complaints,' <http://www.womensenews.org/article.cfm/dyn/aid/2886>

29 Chennai City Police (2008) <http://www.chennaicitypolice.org/women.htm>

30 *ibid.*

31 Association for Women's Rights and Development (07 July 2006), 'Addressing Domestic Violence in India,' <http://www.awid.org/go.php?stid=1625>

Table 1: Organisation and management of All-Women Police Stations in India (mainly Tamil Nadu)

| Delivery of Services | Management of services | Collaboration | Established | Main issues addressed |
|--|--|--|--------------|---|
| 200 police stations in Tamil Nadu and about 100 more spread across several states including Kerala, Madhya Pradesh, Rajasthan, Jammu, Kashmir. Mobile Units. | Managed at state level (each state government has its own police services) | NGOs, Departments of Social Welfare, and Justice, Revenue Office | 1991–present | Domestic violence, dowry issues, rape, polygamy, abuse, sexual harassment in the workplace or in public |

Today the All-Women Police Stations work closely with many NGOs and volunteer organisations. Employees of the Social Welfare Department are attached directly to the stations. There are also District Level Advisory committees chaired by the police that meet monthly. The participants of these meetings include social workers, NGOs and advocates (Justice).³²

Success Rates: Success has been reported in terms of a number of criteria. Conviction rates do not appear to be very encouraging. Of 75 or so dowry cases examined by a researcher, only about five resulted in a conviction.³³ Another report indicated that out of 500 cases of dowry harassment reported between 2004 and 2006 only 10 people were convicted.

Other measures of success recorded were:

- ▶ An increase in the dispersal of victim support services: in 1992, there was one station and today there are 300 such stations (undoubtedly the investment was *perceived* to be worthwhile).
- ▶ The number of reported cases has gone up owing to the presence of these stations.³⁴
- ▶ When toll-free lines were offered to the women's stations, the reporting rate of crimes against women and children rose again by 23%.³⁵
- ▶ Women police stations play a major role in settling domestic violence disputes generally using mediation to solve them but will file a criminal case of cruelty or dowry harassment against the husband or in-laws if necessary (women pressuring women is also a serious a problem).³⁶
- ▶ In terms of testimony, police women seem to feel that placing pressure on men to control their behaviour reduces the abuse of women, the secondary victimisation of women and a reduction in repeat cases.³⁷

- ▶ According to researchers, filing reports creates a permanent police record that improves male behaviour out of fear of arrest: the stations keep a record and use it to pressurise the men who then fear harassing their wives because they already have a record.³⁸
- ▶ A coordinated programme between police and civil society has developed that improves the way that cases are handled by the police.³⁹

Training: The women who staff the stations are trained at station level, and training therefore varies. They are also ordinarily trained to:

- ▶ Respond to all domestic violence complaints to the police
- ▶ Use both the law and the pressure of social embarrassment to constrain the behaviour of husbands and to remind them of what is acceptable and legal behaviour
- ▶ Offer gender-sensitive counselling to both men and women.

Training is not perfect either (perhaps owing to the lack of consistency between states and stations). Researchers investigating dowry cases at the Basavangudi Women's Police Station in Bangalore between 2004 and 2005 found that some police women were 'callous' and that training needed improvement.⁴⁰

Resources: The main resource is an independent station for the investigation of crimes against women and children staffed by women police. The stations are independent facilities but sometimes physically bifurcated from what was once a single station. Each has considerable resources even in a situation of relative poverty:

- ▶ All available resources at 300 or more all-women police stations in India (vehicles, supplies, stationery, etc.) are dedicated to women and children's issues
- ▶ Each station also has a counselling centre for women and child victims
- ▶ Some rural stations are equipped with mobile counselling centres to offer the population home-based visits⁴¹
- ▶ There are also two toll-free help lines through which anonymous complaints are pursued. These are addressed

32 Chennai City Police (2008) <http://www.chennaicitypolice.org/women.htm>

33 Ruiz, Rebecca (13 September 2006), 'India's All-Women Police Pursue Dowry Complaints,' <http://www.womensenews.org/article.cfm/dyn/aid/2886>

34 Association for Women's Rights and Development (07 July 2006), 'Addressing Domestic Violence in India,' <http://www.awid.org/go.php?stid=1625>

35 Kandaswamy, Deepa and K. Deepa (Winter 2004) 'Indian Policewomen Practice Policing and Politicking,' <http://www.msomagazine.com/spring2005/indianpolicewomen.asp>

36 Association for Women's Rights and Development (07 July 2006), 'Addressing Domestic Violence in India,' <http://www.awid.org/go.php?stid=1625>

37 Ruiz, Rebecca (13 September 2006), 'India's All-Women Police Pursue Dowry Complaints,' <http://www.womensenews.org/article.cfm/dyn/aid/2886>

38 *ibid.*

39 *ibid.*

40 *ibid.*

41 Tamil Nadu Police (2 April 2007) 'Policy Note' http://www.tn.gov.in/policynotes/archives/policy2006-07/police_1.htm

Table 2: Malaysia's organisation and management of Sexual, Abuse and Child Investigations Division

| Delivery of Services | Management of services | Collaboration | Established | Main issues addressed |
|---|---|--|---|---|
| A division of 110 specially trained women detectives operating in hospitals and district-level police stations* | Management and oversight by national police detective services, Crime Investigations Department, Kuala Lumpur | Women's civil society groups, hospitals, university academics (training) | Initiated in 1989 as the Rape Squad; reformed in 2007 in current form | Rape and other sexual offences relating to mainly women and children, domestic violence |

* Loh, Jospheh (23 September 2007) 'Police keep cases Open,' The Star Online, <http://thestar.com.my/news/story.asp?file=/2007/9/23/focus/20070923083637&sec=focus>

at the same priority level as direct complaints⁴²

- ▶ They also provide residential quarters for inspectors and constables.⁴³

Malaysia National Police:

The Sexual, Abuse and Child Investigations Division

South Africa and Malaysia are very similar in terms of gross national product per capita: Malaysia at \$4963 and South Africa at \$4959.⁴⁴ Malaysia's 25 million population is 55% of South Africa's and fits within an area that is about a quarter the size of South Africa. The best reason to discuss Malaysia does not concern wealth or size. Rather, it is of significance because of civil society's historic role in ensuring that the police addressed domestic violence, child abuse and sexual offences in a specific and effective manner.

There were two phases to civil society activities. Their role in the 1980s was to end the public silence, break the myths held by society, and convince the police to take the issue of rape seriously. Many organisations combined forces and launched a major public education effort between 1985 and 1989. This included workshops, travelling road shows, street demonstrations, lobbying the press and educational activities. Finally, victims began to speak out and massive press coverage on the issue of rape in Malaysia followed. The Malaysian Police was also pressurised and lobbied by the National Council of Women's Organisations for not taking the issue of rape seriously. Civil society organisations also invited the Royal Canadian Mounted Police Unit on Sexual Crimes to inform the police on how rape issues could be addressed.⁴⁵

From 1989, the Malaysian Police responded with the formation of a National Police Rape Squad and civil society began to partner with them for more effective delivery. Together they set up a specialised unit at national level that worked to provide: (1) a comfortable environment for victims when making reports; (2) assistance to victims in making a case against the accused; and (3) training to regular police officers to improve their attitudes and behaviours toward

survivors of rape and incest.⁴⁶

In 2007, the police transformed the rape squad described above into the Sexual, Abuse and Child Investigations Division headquartered in Kuala Lumpur.⁴⁷ This appeared to build and make advances upon the previous system as the new unit not only investigates rape but also brings together many experts to help victims of child abuse, domestic violence and various kinds of abuse cases as will be described.

Organisation and management: Since 2007 the Sexual, Abuse and Child Investigations Division, part of the Criminal Investigation Department (CID) with its headquarters in Kuala Lumpur hired and assigned qualified counsellors (civilians) to work alongside mainly women detectives. Both fall under the police and are assigned to districts. This may include work in either police stations or hospitals where there are one-stop care centres.⁴⁸ It is notable that from its origin as the rape squad through to its recent transformation into the Sexual, Abuse and Child Investigations Division, staffing has been mainly by women detectives because they appear to be more effective in dealing with such issues. Table 2 illustrates some other aspects of its organisation and management.

Collaboration: The critical partners in the initial development of the earlier National Rape Squad (preceding the Sexual, Abuse and Child Investigations Division) were a range of civil society groups that worked for four years to focus the police appropriately on the problem, as described earlier.

Today there is a Ministry of Women, Family, and Community Development (established in 1999) that helps to integrate, manage and evaluate all services to women and children according to a national plan that includes many departments and partners. The new police unit formed in 2007 fits within this plan and is therefore part of a much more integrated and sophisticated response system than the earlier rape squad. For example:

- ▶ Members of the detective unit are assigned to two kinds of one-stop victim care centres, i.e. at district police head-

42 Chennai City Police (2008) <http://www.chennaicitypolice.org/women.htm>

43 *ibid.*

44 GNP per capita@Countries of the World (2005) <http://www.studentsoftheworld.info/infopays/rank/PNBH2.html>

45 UNIFEM East and Southeast Regional Office (22 November 2001) <http://unifem-eseasia.org/projects/evaw/vawngo/vammys.htm>; B. Suresh Ram (25 October 2007) '1830 rape cases in 7 months,' Malaysia Today website, <http://forum.malaysiatoday.com/index.php?showtopic=361>

46 UNIFEM East and Southeast Regional Office (22 November 2001) <http://unifem-eseasia.org/projects/evaw/vawngo/vammys.htm>

47 Wikipedia (2008) Royal Malaysian Police http://en.wikipedia.org/wiki/Royal_Malaysian_Police#Criminal_Investigation_Division

48 *The New Straits Times* (22 September 2007) 'New police division for sexual abuse cases,' <http://news.asiaone.com/News/AsiaOne+News/Asia/Story/A1Story20070928-27547.html>

quarters throughout the country and in hospitals.⁴⁹

- ▶ The Ministry of Health manages the centres that are in all government hospitals where victims of domestic violence, sexual assault, and child abuse can report offences and receive medical treatment, police investigation, social services, psychological services, support groups and legal support.⁵⁰
- ▶ The Department of Social Welfare and the Ministry of Women, Family, and Community Development work together and with NGOs to carry out massive awareness campaigns relating to these services.
- ▶ The Department of Social Welfare also provides for some 30 safe houses for victims throughout the country.⁵¹
- ▶ District police stations are developing special facilities based on the successful pilot in the district police station in Kuala Lumpur where the testimony of women may be videotaped in special facilities to protect them from secondary abuse in the court.⁵²

In general, these integrated services are in demand, expanding and growing more coordinated than they were when such programmes started in 1989. This reveals that partnership building takes much time but this would have been long delayed without the big push from civil society from the mid-1980s.

Success rates: The Sexual, Abuse and Child Investigations Division is so new (only established in mid 2007) that it is best to determine success rates in terms of the rape unit from which it originated.

Reporting rates increased significantly over 2007, showing steady increases from 2005. For example:

- ▶ During the first seven months of 2007, 1830 rape cases were reported while 1710 cases were reported in 2006 and 1274 in 2005.⁵³
- ▶ Rape cases involving children reached 1324 between January and July 2007 compared to 1710 for 2006 and 1274 for 2005.⁵⁴

It terms of the resolution of cases, it was reported that this was higher than ever as hundreds of cases were being resolved owing to the new units.⁵⁵ No details related to this were available.

In analysis, it appears that much more is needed to bring down these crime levels than just police units investigating

offences against women and children. Malaysia is still debating the extension of the Witness Protection Act to cover rape victims so that they would be more willing to help police and the courts. This may provide some additional assistance relating to the disposition of these cases. It has been reported that victims and their families are often reluctant to help police in investigations as many of the perpetrators (and their families) are known to them.⁵⁶

This indicates that in relation to some measures of success such as the conviction of perpetrators, a range of integrated systems needs to be in place for both the prevention and response to these crimes. This is a theme underlying all the examples in this review.

Training: The 110 women police investigators assigned to this division are required to have tertiary degrees in a relevant subject. They also receive training from the police and civil society.

It is also useful to reflect on the training for the National Police Rape Squad (1989–2007) since this was extensive and important to highlight in terms of this review. The first training was facilitated by women activists in Malaysia and provided by them and the Canadian Mounted Police. The women activists believed that it was policemen telling other policemen how to handle female rape victims that made the biggest impact on the male-dominated Malaysian police force. The topics covered included: how to deal with rape; the root causes of rape; how to develop positive attitudes toward rape survivors; the most conducive environment for rape survivors to make a report; how rape squads in Canada work.

The women activists also discussed gender perspectives on rape and gender-based violence and engaged police officers in discussion about their stereotypes of rape survivors (e.g. women making false reports, asking for rape by wearing revealing clothing, etc.).⁵⁷

Part of the function of the initial rape squad was to make training continuous. Thus, they did not engage in once-off training but:

- ▶ Constantly mentored and trained ordinary police officers and detectives so that they would develop a co-operative and positive attitude and therefore assist the investigators
- ▶ Engaged the detectives in continuous training particularly in aspects of investigations and legal provisions related to rape
- ▶ Wrote procedures in how to handle rape cases and disseminated these to all police departments.⁵⁸

These practices continue under the new Sexual, Abuse and Child Investigations division of the detectives.

49 Hariati Azizan (23 September 2007) 'Less apathy, more vigilance,' *Sunday Star*, http://www.malaysianbar.org.my/news_features/less_apathy_more_vigilance.html

50 Malaysia Violence and Injury Prevention Website (2006) 'Frequently asked questions on domestic violence, child abuse and one-stop crisis centers', http://www.mvip.gov.my/index.php?Itemid=16&id=15&option=com_content&task=view

51 Nor Azilah Binti Haji Jonit, Head of the Sexual Investigation Unit (2005) Country Report-Malaysia, http://www.unafei.or.jp/english/pdf/PDF_rms/no69/09_P118-130.pdf

52 *ibid.*

53 Hariati Azizan (23 September 2007) 'Less Apathy, More Vigilance,' *The Sunday Star*, http://www.malaysianbar.org.my/news_features/less_apathy_more_vigilance.html

54 *ibid.*

55 *ibid.*

56 B. Suresh Ram (25 October 2007) '1830 rape cases in 7 months,' Malaysia Today website, <http://forum.malaysiatoday.com/index.php?showtopic=361>

57 UNIFEM East and Southeast Regional Office (22 November 2001) <http://unifem-eseasia.org/projects/evaw/vawngo/vammys.htm>

58 *ibid.*

Table 3: Nepal's organisation and management of Central Women and Children Service Centres*

| Delivery of Services | Management of services | Collaboration | Established | Main issues addressed |
|---|--|--|-------------|---|
| Women detectives deliver services in 25 Women and Children Service Centres in 23 out of 75 police districts | The CWSC is a special branch of the Crime Investigation Department of the Nepal Police Headquarters at national level with services delivered at district police level | Health, Legal Aid, NGOs and government departments cooperate to provide legal aid, counselling services and shelters | 1996 | Domestic violence, rape and other sexual offences, trafficking of girls, bonded labour, child labour, child abuse, child marriage, polygamy |

* Women and Children Service Centre, Nepal Police, [www.nepalpolice.gov.np/women and childrens service2.php](http://www.nepalpolice.gov.np/women%20and%20childrens%20service2.php), 5 March 2008

Resources: Available information indicates that the police's budget covers most services delivered out of police district units as well for the salaries of police personnel that are located in hospitals. Most other services located in hospitals are covered by the Department of Health. In both locations, police and health services are augmented by additional services provided by civil society organisations and academic institutions. Thus, budgets might not be integrated but each department delivers personnel, material and training according to an integrated plan. It is clear that a tremendous number of resources have been integrated into these one-stop facilities in hospitals and police stations since they involve Health (including psychologists), Police, Social Welfare, civil society and others. These facilities also seem to be well-equipped and include special rooms for the comfort of victims during reporting and interviews, and videotaping equipment and facilities.⁵⁹

Nepal: Central Women and Children Service Centre

Nepal is a much smaller country than South Africa (147 200 km² vs. 1 219 000 km²) with a GNP per capita of only \$268 making it one of the poorest countries in the world.⁶⁰ It has 30 million people (about 70% of South Africa's population) who have long suffered under civil war. Yet, well-trained women detectives have operated as a specialised national squad since 1996 investigating crimes against women and child victims and providing them with integrated services in cooperation with other government departments and NGOs.

Organisation and management: Nepal's police services for women and children victims include 25 service centres all over the country. These are offered at a district level but supported and managed from national level. The Central Women and Children Service Centre (CWCSC) is a special division of the National Crime Investigation Department of Police, which appoints female officers (out of the total police force, only around 4% are women)⁶¹ and budgets for the district branches. Table 3 illustrates some key features of the Central Women and Children Service Centre (CWCSC) in Nepal and how it operates.

The CWCSC has its headquarters in Naxal and then 24 centres offer victim-friendly services managed by women detectives who form their own special investigation branch of the detectives. It was first called the 'women cell' of the police department because the original idea was to make justice accessible to both female and child victims of crime who would not so easily report to a male officer. The women officers work between the victims and both government and civil society stakeholders to investigate crimes against women and children and to ensure that they file complaints against offenders.⁶²

The organisation of these services as a special women's branch of the police from national level with district delivery appears to offer some key advantages to consider:

- ▶ Women appear to be more sensitive than men in relation to matters involving women and children
- ▶ Policies and programmes are consistent because they are established at national level
- ▶ Owing to its national profile, the CWCSC gained public confidence in a short period of time
- ▶ There is a centralised place at district level where police, civil society and the public can cooperate on both providing and accessing services
- ▶ National level organisation provides monitoring, evaluation and analysis as to how to both prevent and respond to these crimes
- ▶ There is consistent management of staff
- ▶ The expansion of women and children's services can be strategically managed
- ▶ Coordination improves the arrest and conviction rates.⁶³

Collaboration: Women detectives deliver services from district level offices (involving many stations) and this is done in collaboration with many government departments and civil society organisations. In particular, this police work is linked to Nepal's Gender Equality and Empowerment of Women Project, which offers networking opportunities for both police members and partners (civil society, local government and government departments) to ensure that the best quality services are delivered. Other key partners include: The Ministry of Women, Children and Social Welfare; the National Women Commission; Legal Aid; the Women's

59 *The New Straits Times* (22 September 2007) 'New police division for sexual abuse cases,' <http://news.asiaone.com/News/AsiaOne+News/Asia/Story/A1Story20070928-27547.html>

60 Students of the World (2008) 'Nepal' http://www.studentsoftheworld.info/country_information.php?Pays=NEP

61 Nepal Monitor (2007) http://www.nepalmonitor.com/2007/12/some_gender_concerns.html

62 Women and Children Service Centre (5 March 2008), Nepal Police, [www.nepalpolice.gov.np/women and childrens service2.php](http://www.nepalpolice.gov.np/women%20and%20childrens%20service2.php)

63 *ibid.*

Rehabilitation Centre; Baai-Mandir (a civil society group addressing street children and child labourers); and the media (television, newspapers and magazines publish reports and pictures of perpetrators).

The CWSC works with the above-named partners to offer a pro-active approach that includes organising massive awareness campaigns, street plays, and television and radio programmes designed to build national awareness in relation to these offences.⁶⁴ The CWSC also dispatched one of its female detectives to the border area of the country to work with NGOs on preventing trafficking in women and children.⁶⁵

Success rates: These are the measures of success:

- ▶ Establishing 24 units/cells in 20 of the country's 75 districts to offer more appropriate and more sensitive handling of cases
- ▶ Public awareness on these crimes has increased
- ▶ Partnerships have been mobilised and delivery is more coordinated, especially at a national level⁶⁶
- ▶ There has been an increase in reports of domestic violence between 2006 and 2007⁶⁷
- ▶ These units filed 317 cases of rape and 70 cases of attempted rape between 2006 and 2007⁶⁸
- ▶ The national police instructed all police officers to treat domestic violence as a criminal offence that should be prosecuted in 2006.⁶⁹

Training: Training is utilised to ensure that the Women and Children Service Centres operate in a professional manner but most of the funding for this comes from overseas agencies and through NGO support.⁷⁰ Much of the training concentrates on what is most needed: raising the awareness of male police officers as to how to deal sensitively with such cases owing to a long history of policemen being implicated in assaults against girls and women. This problem is endemic and requires constant training. Another benefit of training has been building partnerships between NGOs, police and civil society.⁷¹

Resources: The salaries of the women detectives are covered through the national police budget, although little more information is available in this regard. However, it is evident that Nepal, one of the poorest countries in the world, is making best use of its available resources. The detectives are working closely with NGOs (e.g., Saathi, Maiti Nepal, Women's Rehabilitation Centre, and Centre for Child Workers in Nepal) to provide victims with immediate support, shelter,

medical attention and counselling. The police do not have the budget for shelters and care-workers but these are provided by agreement with NGOs and then the detectives work from these shelters.⁷² Owing to the success of the programme, the Asia Development Bank approved \$800 000 on 20 November 2007 aimed at helping Nepal to establish 15 more centres in rural districts.⁷³

Africa

Liberia: New Women and Children Protection Section

Liberia (population 3.2 million) is at the bottom of the list internationally in terms of wealth (\$135 GDP per capita) and yet represents a situation that is useful for: (1) exposing the fundamental requirements for organising police service delivery to women and children in the most severe of circumstances, being the immediate aftermath of 14 years of civil war; (2) identifying United Nations (UN) standards for delivery; (3) demonstrating that sometimes women police are better suited to providing services than male police; and (4) exposing the role that civil society advocacy can play in reforming police services.

Since September 2005 the United Nations has been helping the Liberian Police to establish the 'New Women and Children Protection Section.' This involved the construction of one special facility at the headquarters of the Liberian National Police in Monrovia but it is intended for roll-out across the country.⁷⁴ More importantly, there was learning in the process of developing this: violence against women and children by men (many of them ex-combatants) was so endemic that it was necessary to train only female officers to work with victims and exclude men from this role.

A 15 000-strong UN peacekeeping team has been in the country to maintain law and order in a country that was seriously shaken by a war that only ended in 2004. The war had a devastating effect with more than 270 000 deaths (mostly of women and children,⁷⁵ 15 000 children engaged as soldiers affecting those of school-going age and 50% of the youth still do not attend school as schools were so heavily looted and damaged.⁷⁶

The level of post-war trauma and disorganisation exposed children and youth in large numbers to all kinds of problems including sexual abuse, abduction, forced labour, prostitution and child trafficking. Rape became routine during the war and worsened in the post-war period of reconstruction, with as many as 40% of the women having been raped and many teenagers are pregnant or young mothers. This partly

64 *ibid.*

65 Nepal Monitor (2007) http://www.nepalmonitor.com/2007/12/some_gender_concerns.html

66 Nepal Police (5 March 2008) Women and Children Service Centre, www.nepalpolice.gov.np/women_and_childrens_service2.php

67 US State Department (2007) <http://www.state.gov/g/drl/rls/hrrpt/2007/100618.htm>

68 *ibid.*

69 *ibid.*

70 Asia Development Bank, Japan Fund for Poverty Reduction (5 March 2008) <http://www.adb.org/Documents/PIDs/38097012.asp>

71 Nepal Monitor (2007) http://www.nepalmonitor.com/2007/12/some_gender_concerns.html

72 *ibid.*

73 Asia Development Bank, Japan Fund for Poverty Reduction (5 March 2008) <http://www.adb.org/Documents/PIDs/38097012.asp>

74 PeaceWomen (02 September 2005), "New Women, Children Protection Section for Liberia Police" <http://allafrica.com/stories/200509020600.html>

75 UN Office for the Coordination of Humanitarian Affairs (2008) 'Special Court for Sexual Violence Underway,' <http://www.irinnews.org/report.aspx?ReportId=77406>

76 Watch List on Children and Armed Conflict (June 2004) "Nothing left to lose: the legacy of armed conflict and Liberia's Children," <http://www.watchlist.org/reports/pdf/liberia.report.pdf>

Table 4: Liberia's Women and Child Protection Section of Liberian National Police

| Delivery of Services | Management | Collaboration | Established | Main issues addressed |
|---|-------------------------------------|---|-------------|--|
| Women and Child Protection Section in Six Zones of the Liberian Capital | National Police (headed by a woman) | United Nations Children's Fund (UNICEF), United Nations Mission in Liberia, Liberia's Ministry for Gender and Development | 2005 | Rape and sexual abuse of women and children; human trafficking |

owes to ex-combatants accustomed to excessive forms of violence being idle in communities with no real jobs or programmes to help them.⁷⁷ This last factor produces a cycle of violence not entirely unfamiliar to South Africans living in the post-apartheid era.

Organisation and management: Table 4 illustrates the basic characteristics of the New Women and Children Protection Section.

Collaboration: The 'Women and Child Protection Section' was established in September 2005 with UN Support and officially launched in early 2007. Levels of collaboration still seemed to be relatively weak at the time of writing. The UN Mission was working closely with this section and the Ministry for Gender and Development. Civil society involvement was initially weak. Professional women's groups (mainly lawyers and businesswomen) led by the Association of Female Lawyers of Liberia were much involved in protesting high rates of rape, domestic violence, child abuse, sexual violence against children, (particularly young girls under 12), slavery and trafficking in under-age youth with little or no prosecution. Since the regular courts were ineffective, they demanded and achieved a special court for women and children's issues (see success rates below).⁷⁸

Success rates: The key success is the establishment of the Women and Child Protection Sections to offer more sensitive and better services to women and children victims. The recruitment of 100 female-only police officers for training in 2007 also suggests learning: in piloting, women appeared more appropriate to the role than men.

These were also important outcomes owing to civil society advocacy:

- ▶ The UN Mission in Liberia funded a new court for crimes against women and children stating in November 2007 that the high levels of violence against women and children were a 'challenge to the rule of law and the protection of fundamental human rights in post-war Liberia.'⁷⁹
- ▶ The president appointed a national anti-trafficking task force in 2005.⁸⁰

With these victories, civil society's confrontational politics turned more toward cooperation. On 14 March 2008, the United Nations, the Liberian Government, the police, and civil society groups all joined forces to help reduce the high rates of rape of women and girls in the Southeast part of the country by offering educational campaigns, concerts, videos, and themed sports events in large public spaces and arenas.⁸¹ Some 280 volunteers of the United Nations Volunteers (UNV) programme are currently supporting this but the main focus is on women and explaining the problems of domestic violence to them. This includes police, teachers, students, and a representative of the magisterial courts.⁸²

Police must work appropriately with Justice and the courts and the current problem is with prosecution. In 2006, 600 cases of sexual exploitation and abuse had been documented but of these only 10 were prosecuted (even fewer resulted in convictions).⁸³

Training: Training began in September 2005 with 25 male and female police officers who completed a three-week training course in the handling and management of sexual violence, sexual abuse and gender-based violence cases. By 2007, only women, over 100 of them, were being recruited by the Ministry for Gender and Development for this UN-supported training. The director of the Liberian National Police is a woman (Mrs Beatrice Munah Sieh) who aims to increase the percentage of women in the force from less than 10% to 20%.⁸⁴

Resources: No precise information was available but it is quite evident that the entire police force is very poorly resourced and can offer neither attractive salaries nor incentives. The entire budget for Liberia is only \$199 million. The police seek to increase their human resources by 3500 police based on a United States offer to train them at the Liberia National Police Academy but this does not make up for huge shortages in essential police equipment (cars, radios, etc.). This is indicative of the situation for handling cases of child and gender-based violence: the government does not really

77 Ackerman, Ruthie (12 February 2008) 'The greatest demobilization need is sustainable jobs,' <http://forums.csis.org/africa/?cat=15>

78 UN Office for the Coordination of Humanitarian Affairs (2008) 'Special Court for Sexual Violence Underway,' <http://www.irinnews.org/report.aspx?ReportId=77406>

79 *ibid.*

80 U.S. Department of State (06 March 2007), Country Reports on Human Rights Practices: Liberia, <http://www.state.gov/g/drl/rls/hrrpt/2006/78742.htm>

81 UN News Service (14 March 2008), 'All Liberians must play their part in anti-rape campaign, says UN envoy,' <http://www0.un.org/apps/news/printnews.asp?nid=25984>

82 United Nations Volunteers (09 March 2007), 'UN Raises Awareness in Liberia on Domestic Violence,' <http://www.unv.org/en/news-resources/news/doc/unv-raises-awareness-in.html>

83 U.S. Department of State (06 March 2007), Country Reports on Human Rights Practices: Liberia, <http://www.state.gov/g/drl/rls/hrrpt/2006/78742.htm>

84 United Nations Mission in Liberia (21 April 2006), Press Release: UNMIL and Liberia National Police re-launch police recruitment drive: targets 3,500 police officers.

Table 5: Organisation and management of the Mauritius Police Family Protection Unit*

| Delivery of Services | Management of services | Collaboration | Established | Main issues addressed |
|--|---|---|----------------|---|
| Nine regional offices provide services to women and children | A national secretariat designs programmes, develops policies and partnerships, trains, monitors and evaluates performance at each regional office | Ministry of Women's Rights, Family Welfare and Child Development, Social Security, Probation and After-Care Services, Health, Education, NGOs, Shelters, Alcohol Advisory Groups, UNICEF and the Brigade for the Protection of Minors | September 1994 | Domestic violence, child abuse, elder abuse, family conflict, conflict among neighbours |

* Police Family Protection Unit (29 March 2007) www.gov.mu/portal/site/police/menuitem.fd3503a43d26d778455084e80fb521ca/ 29 March 2007

have the resources to assist victims well and must do this through referral processes between the Liberian National Police and NGOs who provide short-term victim care.

The situation of ex-combatants is a deeper issue of resources that is in need of attention. According to one analysis, ex-combatants 'sit homeless, living on the streets and begging for change; large numbers squat in abandoned buildings creating informal communities and maintaining the command structures of their rebel groups.'⁸⁵ It is not surprising then that it has been reported that sexual assault and rape have increased in the aftermath of war. It would seem that addressing this group of ex-combatants would be a critical part of a multi-disciplinary strategy. Providing services to investigate crimes against women and children and assisting them as victims/survivors of violence can only be part of a successful formula.

Mauritius: Police Family Protection Units

Mauritius is a slightly wealthier country than South Africa in terms of GDP per capita (about \$5 265 per capita vs. \$4 959) and consists of 1 260 781 people living on two small islands covering 1974 km².⁸⁶ This country is of interest to the review because it:

- ▶ Set up Police Family Protection Units (PPFUs) in September 1994, about the same time as FCS Units started in South Africa⁸⁷
- ▶ Moved toward increased national management and monitoring of these services rather than decentralisation
- ▶ Complies with UN standards.

Organisation and management: Table 5 illustrates key features in the organisation and management of its PPFU.

Services are managed at national level by a secretariat, which designs programmes, makes policy, monitors, evaluates and liaises with other agencies (ministries, NGOs, etc.). Delivery takes place from nine regional offices around the country, mainly police headquarters. The PPFU's are best understood as a multi-agency response organised between

departments rather than just a police service (see more on this under collaboration below). Each of the nine Family Protection Units described in Table 5 includes a police woman (ordinarily, a trained female constable) a psychologist, legal advisers and counsellors that respond to 24-hour help lines. Police focus on gathering appropriate evidence and working with legal advisers to develop witnesses for successful prosecution. Otherwise, counsellors provide appropriate referrals, psychologists offer victim support, and legal advisers explain court procedure such as protection orders.⁸⁸

The Mauritian Police also have internal collaboration. Most significant for the review is to mention the Brigade for the Protection of Minors (BPM) that often works with the Police Family Protection Units. This was set up in 2003 as a 'watchdog' to prevent child abuse. It focuses on at-risk children to protect them from criminal activities and abuse of all kinds. However, there is a special focus on human trafficking since Mauritius is a source country for this type of crime. Together, the Police Family Protection Unit and the BPM have conducted widespread child abuse awareness campaigns in dozens of schools and community centres.⁸⁹

The two police units described above also organise training programmes together and in this manner there is attention to prevention, especially by addressing primary and secondary schools with a 'Protective Behaviour Programme' to build resilience.⁹⁰ The Ombudsperson for Children at national level and NGOs cooperate with both the aforementioned police units on this. The media cooperates by publishing the photographs of pimps and others who abuse children.⁹¹

Collaboration: This effort is so collaborative that much has already been mentioned in introducing the Family Protection Units. However, the most crucial partner has not yet been described: the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection. This well-funded department is (1) organising the delivery of

85 Ackerman, Ruthie (12 February 2008) 'The greatest demobilization need is sustainable jobs,' <http://forums.csis.org/africa/?cat=15>

86 US Census, 2008 Estimate, http://uk.encyarta.msn.com/encyclopedia_761574558/Mauritius.html

87 Police Family Protection Unit (19 March 2008) <http://www.gov.mu/portal/site/police/menuitem.fd3503a43d26d778455084e80fb521ca/>

88 Police Family Protection Unit (29 March 2007) www.gov.mu/portal/site/police/menuitem.fd3503a43d26d778455084e80fb521ca/

89 *ibid.*

90 Immigration and Refugee Board of Canada (September 2004) 'Responses to Information Requests,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=433691>

91 Police Family Protection Unit (29 March 2007) www.gov.mu/portal/site/police/menuitem.fd3503a43d26d778455084e80fb521ca/ 29 March 2007

family services as a 'national plan of action' compliant with UN policy; and (2) providing six Family Support Bureaus offering very similar services to the Family Protection Units but in other regions. The Police Family Protection Officers also work in both kinds of bureaus to assist adult victims in reporting and to investigate problems of family violence. Otherwise, psychological counselling is provided by psychologists, legal counselling by a legal resource person, and assistance to child victims of abuse by Family Welfare. These bureaus also have 24-hour hotlines.⁹²

The level of coordination between departments and groups is such that there are protocols for this. One is the 'Protocol of Assistance to Victims of Sexual Assault' promulgated by the Ministry in March 2006 to ensure prompt and timely assistance. The roles and responsibilities of all stakeholders are defined in this.⁹³

Success rates: The Ministry of Women's Rights, Child Development and Family Welfare, lawyers and NGOs all issued reports in 2003 and 2004 that domestic violence was so common in Mauritius that 84% of women surveyed reported being victims of physical abuse. Worse yet, many women choose 'not to prosecute or report their attacker due to cultural pressures.'⁹⁴ No data could be found to establish whether any of these trends have changed due to establishment of these units, however, services to victims definitely improved.

That police services improved over time can be demonstrated by example. In January 2004 there were some concerns that the police were not referring to the Rape Crisis Units at the Victoria Hospital in Candose and the Jeeto Hospital in Port Louis. 'Muvman Liberayon Fam' a group concerned with women's rights, published a letter on the feminist website Lalit complaining that 'rape victims are confronted with the trauma of having to face an unsupportive environment at the police station and long protracted state procedures for registering their complaint after having gone through rape.'⁹⁵ Shortly after, the Ministry responded with the protocols (described under the previous section) that clearly state the roles each department is expected to play.

Training: A range of training was provided between 2003 and 2005, this included:

- ▶ Extensive courses with global and local experts covering International Human Rights and UN Instruments, the Legal Framework of Domestic Violence, Sexual Assault and Violence Against Children in Mauritius, the Effects of Violence, Medical Aspects of Sexual Assault, Interviewing Traumatized Complainants and Child Victims, Taking

Statements, Interviewing Suspects, Criminal Profiling, Strategies of Abusers, Investigating Child Abuse, Crime Scene management, Gathering and Handling of Evidence, Prevention and Proactive Policing, and aspects of Public Education.⁹⁶

- ▶ 32 police officers of the Family Protection Units and 41 members of the Minor Brigade received training in anti-trafficking.⁹⁷
- ▶ Two members of the Mauritius Family Protection Units attended the SAPS Training College in Paarl (Cape Town) for training by the Institute of Security Studies in human rights, international law, the causes and effects of domestic violence, investigation and police protection of survivors and witnesses, forensics, gathering and handling evidence, prevention and proactive policing.⁹⁸

The 2004 Mauritian crime survey did, however, cite the need for better training.⁹⁹ Often the training included both members of the Police Family Protection Unit and the Minor Brigade Officers.

Resources: Since women and children receive psychological assistance, legal counselling, and police investigations with follow-up actions, there is a significant number of dedicated human resources. Access to such resources increased from 2006 when the Ministry of Women's Rights, Child Development and Family Welfare started issuing protocols regarding the expected role of various departments including the police. This focused available resources and reveals that having a national ministry specifically devoted to such tasks can make a significant impact on resolving resource problems. As to physical resources, there was little information although there were indications in some older literature that vehicles were sometimes in short supply. One report in 2005 indicated that there was only one vehicle for every six officers.¹⁰⁰

Mozambique: Centro de Atendimento

This is a very poor country (\$310 GNP per capita) of 20 million people living within 801 590 km². Residents are widespread (25 people per km²) and often far from police stations.¹⁰¹ The country is also recovering from long periods of civil war (1975-1992) such that:

- ▶ Violence levels against women and children have been high owing to idle ex-combatants and other post-war conditions
- ▶ There are more than 1.6 million orphans owing to both war and HIV/Aids.

92 Republic of Mauritius (2008) Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection Family Support Bureaus, <http://www.gov.mu/portal/site/women-site/menu-item.f06150a6b5e9f7243cd63cb9a0208a0c/>

93 Republic of Mauritius (2008) Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection Family Support Bureaus, <http://www.gov.mu/portal/site/women-site/menu-item.f06150a6b5e9f7243cd63cb9a0208a0c/>

94 Immigration and Refugee Board of Canada (September 2004) 'Responses to Information Requests,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=433691>

95 Lalit (15 January 2004) <http://www.lalitmauritius.org/news.asp?newsid=286>

96 Course Programme (3-7 November) <http://www.trainingforpeace.org/training/general/vawcprog1103.pdf>

97 U.S. State Department (June 2007), Trafficking in Persons Report, <http://www.gvnet.com/humantrafficking/Mauritius-2.htm>,

98 SARPCO (2006) <http://64.233.169.104/search?q=cache:W1cqE4jztFEJ:www.trainingforpeace.org/events/2005/vawcaug05.pdf+Training+Mauritius+Police+Family+Protection+Unit&hl=en&ct=clnk&cd=2&gl=za>

99 Mauritius Crime Survey (2004) <http://www.saferAfrica.org/DocumentsCentre/Books/Mauritius/contents.php>

100 U.S. State Department (June 2007), Trafficking in Persons Report, <http://www.gvnet.com/humantrafficking/Mauritius-2.htm>,

101 Wikipedia, 'Mozambique,' <http://en.wikipedia.org/wiki/Mozambique>

Table 6: Mozambique’s organisation and management of its Attendance Centres

| Delivery of Services | Management of services | Collaboration | Established | Main issues addressed |
|--|---|---|-------------|--|
| 184 support centres at police stations and some hospitals across the country | Mozambique National Police Force: Department of Assistance for Women and Children | UNICEF, Police NGOs, Justice, Hospitals, Ministry for Women and Social Action | 2002 | Investigations, legal proceedings, reintegration in cases of violence against women and children |

► Those that have been orphaned are vulnerable to child labour, child trafficking and violence.

This has attracted a UN-supported effort that is informative for explaining international standards. Some 184 Police Support Centres called ‘Attendance Centres’ to assist women and child victims of violence were established in police stations and some hospitals across all eleven provinces of Mozambique by end 2007 to increase access to professional services.¹⁰²

Organisation and management: Since 2004, the key strategy behind this UN-supported national plan of action has been to build the capacity of Mozambique’s ‘Ministry for Women and Social Action’ to plan, deliver, integrate, monitor and evaluate all services (including police) to women and children victims.¹⁰³ This speaks of UN Standards: one basic requirement for at least slowing the escalating levels of violence between men and women and adults and children in both poor and middle-income countries is an integrated, monitored and evaluated plan from national level. This also matches the delivery strategy for middle-income countries like Chile or Mauritius that appear to be dealing with these matters successfully.

The police are a national department and have a Department of Assistance for Women and Children to manage the ‘Attendance Centres.’ Victims not only report the crimes to specially trained police officers but also get referred to the appropriate legal, medical and psychological support.

While the main issues addressed are those indicated in Table 6, the police of the Attendance Centres are also involved in public awareness activities designed to prevent crime.

Collaboration: The level of collaboration was not fully detailed in the available literature but enough was found to capture some critical elements: (1) the police manage these centres; (2) UNICEF provides the funding and monitoring; (3) Justice offers legal proceedings; (4) Health provides referrals; (5) NGOs are involved for support and referrals; and (6) there is much community participation owing to public awareness-raising activities in which these partners engage (encouraging reporting, etc.).

Success rates: Indicators of success mostly involve increased levels of reporting owing to the existence of the centres:

102 UNICEF Mozambique (03 December 2007) Police stand up for women and child victims of violence in Support Centres, http://www.unicef.org/mozambique/protection_4317.html
 103 IRIN Africa (16 April 2004) ‘Mozambique: Abuse of women and children in the spotlight’ <http://www.irinnews.org/report.aspx?reportid=49554>

► UNICEF reported that a total of 20 000 victims had benefited from services between 2003 and 2006.¹⁰⁴
 ► Between January and October 2007, more than 9600 cases of violence were reported to the centres throughout the country involving 2800 children and 5600 women.¹⁰⁵

There was no indication that these services had contributed to any reduction in crime. The Centres did not appear to be perfectly managed either (at least initially) since six pilot centres were subsequently developed to try to improve on the model through monitoring and evaluation.¹⁰⁶

Resources: It appeared from available information that the resources are mainly human resources since referrals are made from the 184 centres established across the country to normal government services. Services are sometimes delivered in very simple buildings (sometimes huts).

Training: Some 125 police members work in the centres and have been trained in preventing and responding to violence against women and children. This includes how to give comprehensive support from the time of the first contact through investigation, legal proceedings and reintegration into communities. In addition, all training materials have been integrated into the coursework of the Police Training Institutions (for all police) and can be found in their manuals. A code of conduct for police officers working in the area of violence and abuse of children is also being developed.¹⁰⁷

Namibia: Women and Child Protection Unit

The population of this country (2 063 927) is 20 times smaller than South Africa but in terms of area it is 68% of South Africa’s size (824 269 km²).¹⁰⁸ It is also similar to South Africa in terms of high figures of domestic violence and rape. According to Namibia’s Ministry of Gender Equality and Child Welfare, about 2000 cases of domestic violence are reported each year while there are around 1200 cases of rape or attempted rape (with one third of these involving child victims).¹⁰⁹ This means 60 reported rapes per 100 000 inhabitants (South

104 UNICEF Mozambique (16 October 2006) http://www.unicef.org/mozambique/protection_3370.html
 105 UNICEF Mozambique (03 December 2007) ‘Police stand up for women and child victims of violence in Support Centres,’ http://www.unicef.org/mozambique/protection_4317.html
 106 *ibid.*
 107 *ibid.*
 108 Namibia (March 2007), UK. [encyclopae-dia_761574992/Namibia.html](http://www.encyclopae-dia_761574992/Namibia.html)
 109 Ministry of Gender Equality and Child Welfare (2007) http://www.mgecw.gov.na/gender/GBV_bronchure%2007-05-07.pdf

Table 7: Namibia's organisation and management of its Women and Child Protection Unit

| Delivery of services | Management | Collaboration | Established | Main issues addressed |
|--|---|--|-------------|---|
| 15 Women and Child Protection Units across six regions (1) Windhoek, (2) Oshakati, (3) Keetmanshoop, (4) Walvis, (5) Mariental and (6) Opuwa | A Namibian Police Force commander (Ministry of Safety and Security) | Ministry of Gender Equality and Child Welfare; National Forensic Science Laboratory, Medical practitioners | 1993 | Rape, attempted rape, incest, indecent assault, sodomy, abduction, physical abuse of children, immoral practices, offences described under the Child Care Act |

Africa is 117 per 100 000).¹¹⁰ This places Namibia third in the world and the reported figures are estimated to be only a quarter of actual numbers owing to low reporting levels.¹¹¹

Organisation and management: As in South Africa, the Namibian police are a national department. Six regions have a Women and Child Protection Unit (falling under a regional commander and with no separate budget) that offers investigations. It was established in 1993 and differs from South Africa in the sense that management is not at station level but falls to a regional commander, one in each of the six regions where these units operate. Altogether, there are 15 units to which the police refer all cases of rape and crime against women (as shown in Table 7).¹¹²

Collaboration: To offer both counselling and medical examinations, these investigative units work with the National Forensic Science Laboratory and medical practitioners.¹¹³ The unit also collaborates with the Ministry of Gender Equality and Child Welfare, which works with the police to maintain a national database on gender-based violence, offer educational activities (e.g. during '16 Days of Activism'), Gender-Based Violence Committees to advise, and therapy with male perpetrators. Nonetheless, as recently as June 2007, collaboration was described as relatively weak and that more needed to be done to offer prosecutor-guided investigations since the conviction rates are very low.¹¹⁴ 'Key players from different ministries are simply not talking to each other enough.'¹¹⁵ See success rates, training and resources (below) for a better understanding of the problem.

Success rates: According to a June 2007 conference on these Woman and Child Protection Units, the conviction rate for crimes against women and girls is only 16%.¹¹⁶ Of those arrested for rape, only 40% are prosecuted while the rest are not prosecuted owing either to a lack of evidence or

the withdrawal of the case.¹¹⁷ The general literature indicated a 'poor quality of reports from doctors who examine rape survivors.'¹¹⁸ Reports are often unclear or incomplete and this causes problems for conviction while time pressures on doctors and insufficient training on legal issues may be part of the problem.¹¹⁹

Training: Training has been described as inadequate with regard to statement taking, the collection of medical evidence and the poor quality of reports coming from doctors.¹²⁰

Resources: There are about 15 units around the country but these appear to be 'inadequately staffed and managed' according to a news report covering the first national conference on the Woman and Child Protection Unit held in June 2007 and attended by 350 delegates.¹²¹ For example, these units cannot provide shelter for those fleeing abuse in the home; there are an inadequate number of social workers for counselling; and forensic services does not have a budget sufficient to offer accurate and timely services for convictions.¹²²

According to the Legal Assistance Centre, these units appear to lack the resources and training required to handle cases appropriately. Furthermore, no separate budget exists for the 15 units and they struggle to obtain resources from the police of whom they form a part.¹²³

Latin America

Argentina: Mobile Domestic Violence Units

This country is comparable to South Africa in many ways. It is a middle-income country of around the same GDP per capita (\$4466) and the same population (40 million) although Argentina covers twice as much territory (2 780 403 km²).¹²⁴ Both South Africa and Argentina have endured state oppression and regime changes that have called for years of reconstruction. Both suffer from high levels of sexual and gender-based violence (in Argentina 70% of emergency calls

110 IRIN Africa (4 June 2007), Namibia: Most rape victims know the rapist,' <http://www.irinnews.org/PrintReport.aspx?ReportId=72535>

111 Hubbard, Dianne (October 2007), Legal Assistance Centre, 'Rape in Namibia,' <http://www.africafiles.org/article.asp?ID=16996>

112 All Africa.com (2007), 'Women Treated as Property,' <http://allafrica.com/stories/printable/200706251200.html>

113 Ministry of Gender Equality and Child Welfare (2007), http://www.mgecw.gov.na/gender/GBV_bronchure%2007-05-07.pdf

114 Hubbard, Dianne (October 2007), Legal Assistance Centre, Sister Namibia, Vol. 19, No. 1, <http://www.sisternamibia.org>

115 Hubbard, Dianne (October 2007), Legal Assistance Centre, Sister Namibia, Vol. 19, No. 1, <http://www.sisternamibia.org>,

116 Weidlich, Brigitte (2007), All Africa.com, 'Women Treated as Property,' <http://allafrica.com/stories/printable/200706251200.html>

117 Hubbard, Dianne (1 October 2007), Legal Assistance Centre, Sister Namibia, Vol. 19, No. 1, <http://www.sisternamibia.org>

118 *ibid.*

119 *ibid.*

120 *ibid.*

121 Weidlich, Brigitte (2007), All Africa.com, 'Women Treated as Property,' <http://allafrica.com/stories/printable/200706251200.html>

122 *ibid.*

123 Hubbard, Dianne (1 October 2007), Legal Assistance Centre, Sister Namibia, Vol. 19, No. 1, <http://www.sisternamibia.org>

124 Europaworld (2008) 'Argentina Population' <http://www.europaworld.com/pub/entry/ar.ss.2>

Table 8: Argentina's organisation and management of Mobile Domestic Violence Units

| Delivery of services | Management | Collaboration | Established | Main issues addressed |
|---|---|---|-------------|--|
| A mobile unit of two police members, one psychologist and a social worker (there are five such teams) | Ministry of the Interior with City of Buenos Aires and Police | Gender Policy Officer, Commission of the Woman and Family, A Domestic Violence Bureau (opened in 2007) provides legal, psychological and medical services to all victims of domestic violence | August 2006 | All forms of domestic violence and child abuse |

to the police are related to gender-based violence).¹²⁵ Both South Africa and Argentina have nationally organised police services.

Argentina appears to have taken such a serious stand on violence against women and children that many departments are addressing this at multiple levels. For instance, there are 24 fairly new all-women police stations (mainly in the province of Buenos Aires).¹²⁶ These 'Comisariás de la Mujer' have teams of lawyers, psychologists and social workers to support victims. For Buenos Aires alone, this includes 70 professionals and 55 specially trained police officers.¹²⁷ As in Brazil and India, this resulted in a great increase in reporting. The stations had received 18 498 complaints between January and September 2007 compared with 26 631 complaints for all of 2006.¹²⁸

Since the phenomenon of All-Women Police Stations has already been reviewed (see India above or Brazil below), this section on Argentina will highlight the Mobile Domestic Violence Units, which from March 2007 began to respond to emergency calls.¹²⁹ Either the victim or a neighbour calls the number '137' and speaks to an attendant who then dispatches a mobile unit consisting of two police officers, one psychologist and one social worker who arrive on the scene together within 20 minutes of the call.¹³⁰

Organisation and management of Mobile Domestic Violence Units: The intent of the programme is to provide mobile unit assistance to victims of sexual and domestic violence nationwide but piloting only started in August 2006 with two mobile units working 24-hours-a-day in Buenos Aires.¹³¹ Table 8 illustrates some details on the organisation of the Mobile Domestic Violence Units.

The whole programme was designed by a psychoanalyst, Eva Giberti, with one main intention: maintain the complaint by the victim. This explains the flying squad approach. Most

programmes emphasise assistance but this one is about getting to the scene very fast, restraining the perpetrator if necessary and ensuring that the victim understands the importance of maintaining the complaint. The Brigade will also bring the victim to health centres to receive immediate attention.¹³²

Collaboration: This is essentially a federal partnership programme of the Interior Ministry, the National Police and the 'Victims against Violence Programme' of the City of Buenos Aires. National Women's Departments, units and councils (e.g. Gender Policy, Commission on Women and Family, National Women's Council) offer training, awareness activities and technical assistance to support the creation of more mobile units consisting of interdisciplinary teams throughout the country for the treatment of victims.

Success rates: The mobile units were designed to overcome a challenge. Often cross-disciplinary efforts are problematic and progress in achieving partnerships is slow (the assessment offered by Argentina's own representatives to the United Nations).¹³³ In Argentina, not unlike South Africa, the lack of coordination between various services such as Health, Justice, Police, NGOs and other networks is what stymies most efforts to drive down crime levels. The mobile units do appear to meet the challenge and increase access to services because:

- ▶ All the stakeholders described above including detectives come to the victim rather than asking the victim to know about, locate, and request police services in the aftermath of violence.
- ▶ Domestic violence reporting increased during the time of implementing the mobile units. During the first nine months of 2007, there was a 57% rise in domestic violence complaints over the same period in 2006, and 28% of complaints included reports of physical violence while 21% involved reports of threats of violence.¹³⁴

125 Immigration and Refugee Board of Canada Research Directorate (17 January 2008), 'Argentina: Women Victims of domestic violence, state protection and resources available to victims.'

126 UNHCR (17 January 2008) <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=47ce6d7ca>

127 *ibid.*

128 *ibid.*

129 *ibid.*

130 Videla, Eduardo (11 May 2007) 'A Flying Squad in Emergency Cases of Family Violence'; http://www.mujereshoy.com/secc_n/3689.shtml&sa=X&oi=translate&resnum=4&ct=result&prev=/search%3Fq%3DArgentina%2BBrigada%2BM%25C3%25B3vil%2B%26hl%3Den%26sa%3DG

131 US Department of State (2006) Country Reports: Argentina, <http://www.state.gov/g/drl/rls/hrrpt/2006/78877.htm>

132 Agenda de las Mujeres (14 June 2006) <http://translate.google.com/translate?hl=en&sl=es&u=http://agendadelasmujeres.com.ar/nota-desplegada.php%3Fid%3D2432&sa=X&oi=translate&resnum=5&ct=result&prev=/search%3Fq%3DArgentina%2BBrigada%2BM%25C3%25B3vil%2B%26start%3D20%26hl%3Den%26sa%3DN>

133 Argentine Republic (@2007) Response to Special Session of the General Assembly, <http://www.un.org/womenwatch/review/response/argentina>

134 Immigration and Refugee Board of Canada (17 January 2008) Argentina: Women Victims of Domestic Violence, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=47ce6d7ca>

Table 9: Brazil's organisation and management of Women's Police Stations

| Delivery of services | Management | Collaboration | Established | Main issues addressed |
|---|--|---|-------------|--|
| More than 300 women police stations in various states | Each of its 26 states manages its own services | Police, psychologists, Justice Department | 1985 | Domestic violence, assault, threats, child abuse, sexual assault and any crime perpetrated against a women |

The mobile units were not the main cause of improved reporting levels because this is a pilot and there are only two such units. These responded to 500 complaints in 2007 out of some 18 000 complaints in Buenos Aires.¹³⁵ The main cause for the drop may be attributed to information campaigns on crime prevention and available services, which occurred at the same time and encouraged increased reporting levels. Of course taken together this amounts to a good technique: better information with improved delivery. Credit must also be given to civil society demands on the government to defend women's rights, pay great attention to women's issues, and educate women about their rights.¹³⁶ In all these ways, Argentina made progress in increasing reporting levels.

Training: No information was available on specialised training provided. However, these are essentially 'flying squads' with highly trained personnel that include a psychologist, a social worker and two trained police members. It is apparent that the qualifications for the role are of a very high standard.

Resources: No information was available except that two mobile units with five teams of experts (police, social worker, and psychologist) for Buenos Aires has been established as described further above.

Brazil: Women's Police Stations

There are more than 300 Women's Police Stations in Brazil, where the model appears to have originated. It was then adapted around Latin America (including Argentina, Nicaragua, Colombia, Peru and Ecuador) and Asia (India and Pakistan).¹³⁷ Not all these experiences can be reviewed but India's experience with women's police stations was reviewed above for reasons offered and there are five good reasons to also review Brazil's experience and compare it to the South African situation:

- ▶ Even though Brazil seems much bigger than South Africa (189 million people live within 26 federal states to constitute the fifth biggest country in the world in terms of area: 8 514 877 km²),¹³⁸ each state is relatively autonomous and the system of women's police stations originated in one

state, Sao Paulo, which has the same population as South Africa (43 million).¹³⁹

- ▶ Brazil and South Africa are both middle-income countries although South Africa is a bit wealthier in terms of GDP per capita (\$3 455 vs. \$4 959).¹⁴⁰
- ▶ Brazil's women police stations developed as part of a grassroots movement of women, civil society groups and oppressed groups to demand better treatment from the police between the late 1970s until establishment of the first female police station in Sao Paulo in 1985.¹⁴¹ Special police stations had been set up for Afro-Brazilians and the elderly and so women demanded similar treatment.¹⁴²
- ▶ According to Sociologist Cecilia MacDowell Santos of the University of San Francisco, 'It is less expensive to have women's police stations than to set up shelters.'¹⁴³
- ▶ Like South Africa, domestic violence rates are very high – a 2001 study by the Perseu Abramo Foundation showed that one-quarter of Brazilian women had been victims of physical attacks and one-third had suffered continuous verbal or psychological abuse.¹⁴⁴

Organisation and management: Brazilian women can go to any police station to report any crime but at least in a few states (especially the state of Sao Paulo where this phenomenon started) there is a second choice: an all-women's police station. These are not usually separate buildings but floors or areas in existing precincts (to make this service prevalent and affordable). The waiting areas are also pleasant with children's rooms, television and refreshments. Table 9 illustrates basic characteristics.

Collaboration: The Women's Police Stations have their own budgets and include: specially trained officers to take complaints, detectives to investigate, and psychologists that provide 24-hour service in shifts at the station. The Justice System also recognises the psychologists as expert witnesses and sometimes first-time offenders are offered the option of group therapy sessions by the judge if this might have a prevention impact. Otherwise, such training can also run in

135 *ibid.*

136 Immigration and Refugee Board of Canada (17 January 2008) Argentina: Women Victims of Domestic Violence, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=47ce6d7ca>

137 Mooney, Joyce (2005) <http://www.journals.uchicago.edu/doi/pdf/10.1086/510045>

138 Wikipedia, List of Brazilian States by Area (2007) [p://en.wikipedia.org/wiki/List_of_Brazilian_states_by_area](http://en.wikipedia.org/wiki/List_of_Brazilian_states_by_area); Rosenberg, Matt (2008) <http://geography.about.com/cs/worldpopulation/a/mostpopulous.htm>; [http://en.wikipedia.org/wiki/S%C3%A3o_Paulo_\(state\)](http://en.wikipedia.org/wiki/S%C3%A3o_Paulo_(state))

139 Mooney, Joyce (2005) <http://www.journals.uchicago.edu/doi/pdf/10.1086/510045>

140 Students of the world (2005) GNP per Capita, <http://www.studentsoft-heworld.info/infopays/rank/PNBH2.html>

141 Santos, Celia MacDowell (2005) *Women's Police Stations: Gender, Violence and Justice in Sao Paulo, Brazil*, New York: Palgrave Macmillan, pp 246

142 Downie, Andrew (20 July 2005), 'A Police Station of their Own', *Christian Science Monitor* <http://www.csmonitor.com/2005/0720/p15s02-woam.htm>

143 *ibid.*

144 *ibid.*

tandem with sentences.¹⁴⁵ Thus, Police, Justice and Health are key partners.

Success rates: First of all, the women's police stations are perceived to be very successful. According to the police chief at one of the first women police stations to open in Sao Paulo, there was a 'line down the block' because most women found it much easier and more comfortable to report to women police officers. Furthermore, she said, "Women were coming to tell us about incidents from 20 years earlier."¹⁴⁶

Harder evidence of success is as follows:

- ▶ The first women's police stations in the world were created in Sao Paulo in the 1980s and then they were not only replicated across Brazil (more than 300 women police stations) but all over the world.
- ▶ Each new station opened up a job market to disadvantaged women potentially building resilience to crimes against women.
- ▶ Reporting of crimes against women at the all-women stations were twice the rate reported at regular stations from the earliest years and crimes that went largely unreported are now being reported.¹⁴⁷
- ▶ Before the advent of women's police stations, the police rarely investigated incidents of violence against women and treated victims with indifference while today it is much more widely recognised as criminal behaviour constituting a violation of human rights.¹⁴⁸
- ▶ Statistically murders dropped by half between 2000 and 2007, and in a study this was attributed to many factors but the women's police stations were listed as one factor (others were better crime data bases, better communication between military and civil police, new switchboards for citizen reporting of crimes, new community policing stations, new homicide combat units, and more sophisticated software and a programme to rid the state of illegal firearms).¹⁴⁹

Training: The female police officers that take the complaints are specially trained detectives who have learnt mediation skills and all aspects of domestic violence ranging from psychological impacts to the laws concerning this.

Resources: All resources at the women police stations are directed toward the investigation and prevention of crimes against women and children. The budget for a Sao Paulo facility was given in one news report as follows:

- ▶ Three professional psychologists on 24-hour call who

work directly with both victims and police (In fact, judges in Brazil offer accused men the option of counselling or therapy sessions)

- ▶ A senior officer (the 'Delgada')
- ▶ Four specially trained officers to take complaints;
- ▶ Five detectives to investigate reported abuses
- ▶ Eight offices
- ▶ A waiting area with TV, coffee machine and a children's play room
- ▶ A legal advice officer (usually the only male on the premises if there is one).¹⁵⁰

Chile: Brigade for Sexual Offences and Crimes Involving Minors

Chile is the final example in this section and a powerful one concerning the integration of stakeholders through a national model. This is also a middle-income country like South Africa even though the GNP per capita is just slightly higher in Chile (\$5865 vs. \$4969).¹⁵¹ It has fewer people (17 million) and they live along a 6 400-kilometre strip of coastland running from south to north along the Pacific side of South America (a total of 756 959 km²).¹⁵² Similar to South Africa, violence against women and children occurs at a high rate:

- ▶ Between January and November of 2005, the Chilean Police received 76 000 reports of family violence (67 913 cases reported by women, 6404 cases reported by men and 1000 cases reported by children).¹⁵³
- ▶ More than half of Chilean children are believed to be victims of violence (25.9% are victims of serious physical violence and 27.9% are victims of mild physical violence)¹⁵⁴

Chile has one of the longest histories found in the review for specialised detective units dealing with crimes of these types. In 1966, it created the first special detective branch for juveniles. In 1974 a women's brigade developed to address women's issues. Then from the 1980s there were two special units developed within the detective units to address such problems: (1) one to deal specifically with rape cases and (2) the other to address children and teenagers affected by violence.¹⁵⁵

From 1995 the rape unit and the one for minors were combined into the Brigade for the Investigation of Sexual Offences and Crimes Involving Minors (Brigada de Delitos

145 Downie, Andrew (20 July 2005), 'A Police Station of their Own', Christian Science Monitor <http://www.csmonitor.com/2005/0720/p15s02-woam.htm>

146 *ibid.*

147 Mooney, Joyce (2005) <http://www.journals.uchicago.edu/doi/pdf/10.1086/510045>; Downie, Andrew (20 July 2005), 'A Police Station of their Own', Christian Science Monitor <http://www.csmonitor.com/2005/0720/p15s02-woam.htm>

148 Htun, Mala (2002) 'Puzzles of Women's Rights in Brazil,' <http://www.encyclopedia.com/doc/1G1-94227139.html>

149 Ted Goertzel and Túlio Kahn (10 June 2007) 'The Unsung Story of Sao Paulo's Murder Rate Drop,' 2007 http://news.newamericamedia.org/news/view_article.html?article_id=0a7ee25d39a7d2b0737cef8c76bc84b5

150 Downie, Andrew (20 July 2005), 'A Police Station of their Own', Christian Science Monitor <http://www.csmonitor.com/2005/0720/p15s02-woam.htm>

151 Students of the world (2005) GNP per Capita, <http://www.studentsoft-heworld.info/infopays/rank/PNBH2.html>

152 CIA World Fact Book (2008) 'Chile' <https://www.cia.gov/library/publications/the-world-factbook/print/ci.html>

153 US Department of State (2006) 'Country reports on human rights practices: Chile,' <http://www.state.gov/g/drl/rls/hrrpt/2006/78884.htm>

154 Information and Refugee Board of Canada (13 March 2007) 'Chile: Violence Against Children by Family Members and Protection Available from the State,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451148>

155 Jenafam (2008) <http://www.investigaciones.cl/jenafam/index.htm?sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3Djefatura%2BNacional%2Bde%2BDelitos%2Bcontra%2Bla%2BFamilia,%2BJENAFAM%26hl%3Den%26sa%3DG>

Table 10: Brigade for Sexual Offences and Crimes Involving Minors (BRISEX)

| Delivery of services | Management | Collaboration | Established | Main issues addressed |
|--|--|---|-------------|---|
| Investigation Brigades for Sexual Offences and Crimes Involving children at police stations around the country | National level management: Ministry of Interior to which the police report and the National Headquarters of Crimes Against the Family which creates the regulatory environment | National Children's Service (SENAME); Ministry of Justice (prosecutors and judges); Police National Headquarters of Crimes Against the Family and its Institute of Criminology and its Department of Support and Community Action | 1995 | Commercial sexual exploitation of children, disappearances, kidnappings, family violence, non-payment of alimony, internet crimes |

Sexuales y Menores). This detective unit remains known today as BRISEX and is quite sophisticated. It includes detectives, psychologists and prosecutors who work together in the investigation of sexual offences and any offences concerning minors from non-payment of alimony to child abuse. One critical factor in this organisation of services is this: from 2004, BRISEX fell under a new national ministry designed to organise these investigations and help bring an end to these problems, the Jefatura Nacional de Delitos contra la Familia or JENAFAM.

Organisation and management: Police and detectives fall into two entirely separate departments in Chile:

- ▶ Police known as the Carabineros (27 000 members) are essentially enlisted soldiers for public order and safety that fall under the Ministry of Defence.
- ▶ The detectives (3500 of them) are civilians and organised separately under the Ministry of the Interior as the PICH (Policía de Investigaciones de Chile).

BRISEX falls within the detectives (the PICH), which falls under the Ministry of the Interior. However, there is also a very important regulatory body, alluded to above, called National Headquarters of Crimes Against the Family (Jefatura Nacional de Delitos contra la Familia or JENAFAM), established in December 2004 to regulate and monitor the entire investigative process from national level to ensure that the most scientific and technical methods are used to respond to sexual offences, family issues and child abuse.¹⁵⁶ JENAFAM also provides:

- ▶ An Institute of Criminology (Instituto de Criminología) which: (1) through its Centre for Assistance to Victims of Sexual Crimes provides direct psychological, legal and social assistance with a big focus on victims who are minors; and (2) provides psychological examinations of perpetrators and witnesses too to support the judicial process
- ▶ Investigations of all offences against the order of the family, public morality and sexual integrity
- ▶ Regulation of all police investigations on these matters
- ▶ National preventative community education to strengthen the institutions of community and family and address sex

¹⁵⁶ *ibid.*

crimes, domestic violence, child abuse, criminal responsibility and child labour¹⁵⁷

- ▶ A Department of Support and Community Action (also detectives) which publicises the work being done by the detectives and engages in educational campaigns.¹⁵⁸

Table 10 illustrates some basic elements of this organisation.

BRISEX resulted from the 1995 merger of the Sexual Offences Brigade with the Juvenile Brigade to bring both activities concerning children and minors together for greater efficiency. They typically work in teams: a psychologist, two to three prosecutors and about ten police officers might work together in one unit such as the one at Guayaquil.¹⁵⁹ Often a psychologist will accompany a detective and a prosecutor when they first approach the victim. Crime prevention is also part of the brief: the specialised BRISEX detectives not only investigate but are charged with educating the population (colleges, universities, neighbourhood groups, civil society groups) on various topics related to rape, child abuse prevention and the laws on these matters.

Collaboration: Collaboration between Police, Justice and Health practitioners is the basic model described further above. However, the most important external partner to mention might be The Ministry of Justice, which provides: counselling and assistance in all rape cases;¹⁶⁰ and a unit called SENAME, the National Service for Minors, has been in operation since 1979 and is the most critical police partner on crimes against children and youth.

SENAME needs to be explained further because it is so huge (75 offices around the country) and important on the issue of crimes against children. In South African terms,

¹⁵⁷ Information and Refugee Board of Canada (13 March 2007) 'Chile: Violence Against Children by Family Members and Protection Available from the State,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451148>

¹⁵⁸ Jenafam (2008) <http://www.investigaciones.cl/jenafam/index.htm&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DJefatura%2BNacional%2Bde%2BDelitos%2Bcontra%2Bla%2BFamilia,%2BJENAFAM%26hl%3Den%26sa%3DG>

¹⁵⁹ Eluniverso.com (13 December 2006) 'New Brigade for Sex Crimes,' <http://www.eluniverso.com/2006/12/13/0001/10/92DF3138868E4D4DB3921156555865FD.aspx&sa=X&oi=translate&resnum=8&ct=result&prev=/search%3Fq%3DBrigada%2Bde%2BDelitos%2BSexuales%2BBy%2BMenores%26hl%3Den%26sa%3DG>

¹⁶⁰ US Department of State (2006) 'Country reports on human rights practices: Chile,' <http://www.state.gov/g/drl/rls/hrrpt/2006/78884.htm>

they might be likened to a 'national prosecuting authority' expressly for children and youth (they both protect children and charge others in violation of the law). On the protection side, they are *very* pro-active, such that they focus first on keeping families intact to prevent problems from ever reaching the courts (educational campaigns, family interventions, etc.). Failing that, they:

- ▶ Offer legal representation to victims (the main function to which all other services relate)
- ▶ Identify children and adolescents in abusive situations and then bring them to one of 244 SENAME reception centres around the country for counselling and referrals (e.g. to police and many other kinds of social services);
- ▶ Provide 11 128 places of safety
- ▶ Develop partnerships projects (some 200 of them) at local level with police, other government departments and NGOs¹⁶¹
- ▶ Keep registers and statistics on children who are sexually exploited and provide rehabilitation programmes for them in 9 out of 15 of the country's regions (e.g. 1105 children were admitted between 2003 and 2006).¹⁶²

There are others that work closely with the police on both sexual assaults and children's matters:

- ▶ Since 1999 Chilean police have operated within a National Plan of Action on Violence Against and Commercial Sexual Exploitation of Children and Adolescence. This created working parties that oversee the national plan that include the Ministry of Justice, the Inter-American Children's Institute, foundations, NGOs and many others at both local and international scale as Chile tries to meet UN standards and concerns.¹⁶³ This is where it appears that much of the focus on Internet crimes enters.
- ▶ The Centre for Attention to Victims of Sexual Attacks (CELLARS) is important for referrals because they provide comprehensive psychological care to victims so that they can overcome a sexual attack.¹⁶⁴
- ▶ The Children's Rights Protection Offices (Oficinas de Proteccion de Derechos de la Infancia, OPD) helps children to access the assistance available in their community and offers diagnostic centres where children can be evaluated or can otherwise wait pending protection measures.¹⁶⁵

161 *ibid.* Information and Refugee Board of Canada (13 March 2007) 'Chile: Violence Against Children by Family Members and Protection Available from the State,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451148>

162 United Nations Committee on the Rights of the Child (21 December 2007) Written replies submitted by the Government of Chile n Child Prostitution and Pornography, <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPSC.CHL.Q.1.Add.1.pdf>

163 *ibid.*

164 BRISEX (undated) 'Investigation Brigade Sexual Offences and Children,' <http://www.investigaciones.cl/paginas/brigadas/bg-brisexme/bg-brisexme.htm&sa=X&oi=translate&resnum=9&ct=result&prev=/search%3Fq%3DBRISEX%2BChile%26hl%3Den%26sa%3DG>

165 Information and Refugee Board of Canada (13 March 2007) 'Chile: Violence Against Children by Family Members and Protection Available from the State,' <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451148>

Success rates: According to researchers, the level of crimes against children was basically the same in 2006 as it was in 1994 when a UNICEF study was conducted such that one cannot say crimes of this nature have dropped.¹⁶⁶ SENAME's Diagnostic Centres reported that 61 000 children were in need of protection during 2003.¹⁶⁷

In relation to domestic violence, the Ministry of the Interior recorded steadily increasing reporting rates from 2003 in terms of the following numbers:

- ▶ 2003: 78 948
- ▶ 2004: 87 697
- ▶ 2005: 93 404
- ▶ 2006: 95 829¹⁶⁸

The conviction rate is not impressive. Between 2004 and 2006, 508 cases were registered and 551 people brought to court on charges of facilitating the prostitution of children; producing, selling and buying child pornography; and otherwise obtaining the sexual services of a child. This only resulted in 68 convictions.¹⁶⁹

Training: There was much evidence of constant training and educational opportunities for the detectives providing these services. First, there is a special police investigations college, which all specialist detectives must attend and learn about these matters, particularly violence against families and children.¹⁷⁰ Secondly this is the role of an entire unit – the Department of Community Action and Support, which offers constant seminars. Examples of other training undertaken include:

- ▶ SERNAM and NGOs partnered to provide police officers, judicial officers and municipal authorities courses on the legal, medical and psychological aspects of domestic violence.¹⁷¹
- ▶ Detectives from the Department of Community Action and Support offered training to large numbers of detectives (and students) concerning the definition of sexual offences, how to detect cases of abuse, prevention from the pre-school period, appropriate procedures, police procedures and other matters.
- ▶ JENAFAM provided training for both police and sex

166 *ibid.*

167 World Organisation Against Torture (January 2007) 'Children's Rights in Chile: Alternative Report on the Convention on the Rights of the Child by Chile,' 44th Session, Geneva, January 2007, pp 1–21.

168 Immigration and Refugee Board of Canada (2007) Chile: Child Protection Information, services and remedies available to women victims of domestic violence, <http://www.irb-cisr.gc.ca/fr/recherche/cnd/ref/%3Faction%3Dview%26doc%3Dch1102427f&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DJenafam%2BChile%26st%3D10%26hl%3Den%26sa%3DN>

169 United Nations Committee on the Rights of the Child (21 December 2007) Written replies submitted by the Government of Chile n Child Prostitution and Pornography, <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPSC.CHL.Q.1.Add.1.pdf>

170 Government of Chile Secretary of Investigations (2006) http://translate.google.com/translate?hl=en&sl=es&u=http://www.ssi.gov.cl/not_agenda/07/06_12_07.htm&sa=X&oi=translate&resnum=9&ct=result&prev=/search%3Fq%3DBrigada%2Bde%2BDelitos%2BSexuales%2B%2BMeno%26hl%3Den%26sa%3DG

171 US Department of State (2006) 'Country reports on human rights practices: Chile,' <http://www.state.gov/g/drl/rls/hrrpt/2006/78884.htm>

workers about the crime of trafficking in persons and how to detect, investigate and prevent this such that they won a good practice award for public service.¹⁷²

- ▶ The Kids' Internet Safety Alliance of Ontario gave five police members and five prosecutors a week-long training and knowledge-sharing session with Canada's leading experts in cyber-investigations at the University of Ontario, Institute of Technology.¹⁷³

Resources: BRISEX has considerable resources since it is headed by powerful national institutions, especially JENAFAM as described above. Furthermore, victims have access to separate facilities for care including: the Institute of Criminology, which provides comprehensive psychological, legal and social assistance to victims; and the Centre for Assistance to Victims of Sexual Attacks (CAVA) that provides comprehensive care to victims in the aftermath of a sexual attacks (away from the regular police stations).

BRISEX also works very closely with the Public Prosecutors Office, the Justice Centre Santiago, and the National Service for Minors and others as described above such that the resources through referrals and networked care are extensive.

Overview of findings on poor and middle-income countries

There are some findings that point to many good practices specifically for poor and middle-income countries. Some of these results do not apply to the richer countries. For instance:

- ▶ Strong national management seems to work well in poor and middle-income countries but management in wealthier countries like in the United States and Canada is much more local owing to federal systems and an abundance of resources in its cities, districts and provinces.
- ▶ The phenomenon of all-female police stations is spreading rapidly among poor and middle-income countries and apparently working well but no example of this could be found in rich countries.

There are also some practices shared by both middle-income and rich countries such as rapid response mobile units (but these are seldom found in the very poor countries).

For consistency and clarity, these findings will be discussed in terms of the subheadings used in this section of the report: (1) organisation and management; (2) collaboration; (3) success rates; (4) training; and (5) resources.

Findings on organisation and management

Several good practices can be identified from the middle-income countries and even poorer ones where resource

shortages, either human or material, are a key issue. These include (a) district level delivery; (b) strong national oversight; (c) all-female detective units and police stations; and (d) rapid response mobile services.

District-level delivery: Delivery in all ten cases reviewed was at district level. Part of the reason that poor and middle-income countries deliver services at district level is that they have fewer resources than rich countries and fewer professionals available at each local level to manage services. Under these conditions, it makes more sense to offer good services at district level rather than offer many poorly run services at station level. Otherwise, the delivery of services at district level appeared critical in the ten examples since:

- ▶ Enough trained personnel and partners from other departments are available at district level for offering the victims a full range of partnership services.
- ▶ There is a centralised place at district level to which both civil society and the public can locate advice or information.
- ▶ Victims can be assigned dedicated officers who can guide them through the criminal justice system and various services.

Interestingly, South Africa does not fit the described pattern even though it fits the general profile of the middle-income countries like Argentina, Chile, Malaysia or Mauritius in terms of many other factors. Perhaps prior to the reorganisation of the FCS units, South Africa would be closer to these norms for poor and middle-income countries but not after the devolution of services from district to station level. In fact, station-level organisation of services makes South Africa unique among all the countries reviewed whether poor, middle-income or rich.

Strong leadership from national level: In 9 out of 10 of the poor and middle-income countries reviewed there was an integrated national plan with significant national oversight and management. India was the exception, which like the United States or Canada, has large autonomous states and each one organises its own services but this was shown to result in inconsistent delivery and less effective delivery because there was no national-level group to monitor and evaluate.¹⁷⁴ This might raise a question for South African civil society: are South Africa's police services to women and children victims unnecessarily decentralised in a situation where they do not have to be since SAPS services are national? In other words, when South Africa decentralised its FCS services to station level, did it dismiss a key advantage in terms of organisation that the Indian federal system does not allow?

National oversight accounted for successes in both poor countries like Nepal and middle-income ones like Chile and Malaysia. In Chile, there was something exceptional: a ministry at national level devoted not just to these investigations (monitoring and directing the detective work on

172 Government of Chile (May 2007) http://www.ssi.gov.cl/not_agenda/07/19_12_07.htm&sa=X&oi=translate&resnum=3&ct=result&prev=search%3Fq%3DJENAFAM%2BChile%26hl%3Den%26sa%3DG

173 Paul Gillespie Consulting (21 August 2007) 'Kinsa trains Chilean Law Enforcement to Investigate and Prosecute the Sexual Exploitation of Children on the Internet,' http://www.paulgillespieconsulting.com/press_20070821-kinsa.php

174 Ruiz, Rebecca (13 September 2006), 'India's All-Women Police Pursue Dowry Complaints,' <http://www.womensenews.org/article.cfm/dyn/aid/2886>

women and children's issues) but with a mission to eradicate serious problems. Malaysia's Ministry of Women, Family, and Community Development manages all women and children's services according to a national plan involving many departments and partners.

Altogether, much evidence emerged from this review to indicate that a national department for issues such as those relating to women and children (or at the very least some form of national oversight) offered many advantages over decentralised delivery in terms of improved service delivery within poor and middle-income countries:

- ▶ It creates a single strategy or policy under which various departments and even non-governmental organisations can coordinate their work.
- ▶ It offers an opportunity to offer both initial training and ongoing training in cross-disciplinary groups so as to enhance collaboration between national, provincial or district departments.
- ▶ It allows for monitoring and evaluation of all programmes countrywide in order to compare practice and identify and define good practice (e.g. Chile provides ongoing monitoring and evaluation services as a separate unit at the national level).
- ▶ More general studies of crime trends, which are relatively expensive at local level, can be provided from national level (leading to better models as to how to prevent and respond to specific crimes).
- ▶ More expensive provisions such as forensic laboratories can be offered from national level (e.g. Namibia).
- ▶ Programmes become more consistent because they are established from national level, and a greater uniformity of service provision becomes possible.
- ▶ A national department established to oversee the issues relating to sexual offences, family violence and child protection can establish public confidence and indicates political will.
- ▶ There is consistent management of staff between districts and provinces owing to oversight of this (e.g. a problem in India owing to the lack of national management).
- ▶ The expansion of services can be strategically managed.¹⁷⁵

There is also evidence that these developing countries, which are often more centralised than richer ones, have an advantage over some rich ones owing to this factor. For instance, the Home Office in the United Kingdom has been trying to promote a national approach since 2004.¹⁷⁶

Finally, in situations where services are centralised at national level it is possible to place a woman in charge and as they seem to accomplish much if they head: (1) national ministries for gender and development; (2) the police or the

prosecuting authority at national level – see Liberia or Chile; or (3) the Women and Child Protection Sections of the police at national level. Those who commit these offences are commonly men while women are more commonly the victims and therefore it is logical to reverse this power equation in terms of which sex directs responses to the problem from national level.

All-female police stations, all-female detectives and female supervision of such programmes: All-female police stations are proliferating rapidly around the world among poor and middle-income countries (Nepal, India, Philippines, Pakistan, Peru, Colombia, Nicaragua, Brazil, Ecuador, Uruguay, Liberia and elsewhere) but no example of this was found in the rich countries. These stations can be within or part of regular stations (e.g. Brazil) but sometimes they are entirely different facilities for the express purpose of handling specific cases more sensitively (e.g. Tamil Nadu). Of course, this dramatically increases resources for this since entire stations are then devoted to resolving the problem.

Women police stations work for two main reasons: (1) most women beaten or abused by men or who have had their children hurt by them are reluctant to report to male officers in male-dominated stations who are not always sympathetic to the problem; and (2) women make better and more sensitive investigators of crimes against women and children. There is empirical evidence of this too: (1) reporting levels doubled in Brazil and India when all-women police stations were established; (2) in India women started pouring in to report crimes from earlier years because they were too intimidated to report to male officers; (3) women police detectives took such a strong interest that the investigation of such crimes increased dramatically; and (4) numerous governments perceived that these detective services were successful and therefore invested in these specialised units such that they proliferated around the world.

Lastly if very poor countries like Liberia and Nepal can manage to do this, surely South Africa has the capacity for providing all-female police stations or at least brigades. Nepal had all-female detective units and provided this service under the most trying of circumstances (civil war) and is one of the poorest countries in the world. Furthermore, through their partnering efforts (and those of civil society members) they are providing a good service.

Rapid Response and Mobile Units: Anywhere in the world, it makes perfect sense that a rapid response to a victim's call is more effective than a slow response for both resolving crime problems and crime prevention. Police in both Chile and Argentina are mandated to respond to calls within minutes of a report of child abuse or domestic violence. Argentina is experimenting with Mobile Domestic Violence Units with two police members ready to arrest the perpetrator along with a psychologist and a social worker to support the victim. They arrive within 20 minutes. The reason for the speed is also interesting: to ensure that the victim understands the importance of maintaining the

¹⁷⁵ Aside from the country examples, see also Rape Crisis Network Ireland (April 2007) 'The Investigation of Sexual Violence: priority recommendations' where a few of these items are also highlighted: www.rcn.ie

¹⁷⁶ Home Office (2005) 'Domestic Violence: a national report,' <http://www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence51.pdf>

complaint. One reason for low reporting rates for domestic violence and child abuse is that much time passes during which the perpetrator pleads for forgiveness or threatens the victim.

Tamil Nadu has mobile units for a different reason that might also apply to South Africa: to reach the rural areas with professional teams. A police officer, an advocate, a doctor, a social worker and a revenue department official work together to identify and resolve the problems on the spot.¹⁷⁷

Altogether, a rapid and mobile response system is a good practice that in conjunction with other activities might bring down levels of crimes against women and children because:

- ▶ It arraigns the perpetrator immediately and prevents further abuse.
- ▶ It ensures that charges are filed because of the presence of police and the a team that encourages and supports the victim.
- ▶ Assured delivery in under 20 minutes creates the feeling that it is safe to call out the police (and a team of experts) while slow delivery results in apathy toward police services.
- ▶ It is easier to phone for help than to leave a violent domestic situation under the watchful eye of the perpetrator to try to access help through the desk at a charge office some distance away.
- ▶ Undoubtedly an effective system like this would ensure improved prosecutions through improved evidence collection while expediting the entire process of victim care improves the likelihood that charges will be filed.

This is also an international trend in richer countries.

Findings on collaboration

There are four critical findings on this. From the case studies, it appears that: (a) much collaboration is required involving many departments and others to create fully integrated service delivery; (b) a devoted department at national level is needed to create and drive the above-described process of collaboration; and (c) strong civil society partnerships can create the demand for the above-mentioned outcomes through advocacy; and (d) formal protocols ensure that the role of each partner is properly understood and enables monitoring and evaluation.

Intersectoral delivery is a fundamental requirement for success: The problems of gender-based violence, sexual offences and child abuse cannot be resolved by detectives alone. The evidence shows that reducing the levels of these problems depends on having multiple police systems in place for both prevention and investigations and these, in turn, must be part of a much larger interdepartmental and multi-disciplinary effort. Richer countries appeared far ahead in implementing such measures, such that Britain

recently recorded a 7% drop in these types of crimes. There was evidence that both poor and middle-income countries were trending toward:

- ▶ The creation of interdisciplinary teams that include detectives, psychologists, doctors, prosecutors, NGOs and other health practitioners (e.g. Malaysia, Mauritius, Argentina, Chile)
- ▶ Integrated, monitored and evaluated national plans that concentrate the resources of various departments on the problem (e.g. Chile).

One important trend toward achieving the first point above, at least in urban areas, is the one-stop victim care centre in main police stations and hospitals (e.g. see Malaysia or Mauritius). Argentinean and Chilean detectives offer this in another manner: in terms of teams with forensics, psychologists, and investigators that go to the victim. In these cases, the state has taken full responsibility for responding to these offences and puts together the interdisciplinary teams to serve the victim and apprehend the perpetrator. This is evidently more pro-active – otherwise the onus for taking many of the necessary steps (both figuratively and literally) to combat a grave social ill is on the victim.

As to the second point above, one might say that some of these reviewed countries are striving to achieve integrated national plans that are monitored and evaluated. The only country that really seems to achieve this well is Chile (see also Malaysia, Mauritius). It has scientifically developed programmes under constant monitoring and evaluation by an entire government unit tasked with this responsibility from national level. In a situation of limited resources, this is valuable strategy and integrated national planning is probably a success factor in any country where human and material resources are in short supply (the poor and middle-income countries). The richer countries are different and tend to devolve this to a very local level with large evaluation teams just in one city (there are 400 evaluators in New York City alone just to look at programmes addressing and relating to the victimisation of women and children).

Taking a broad overview of findings from all ten poor and middle-income countries, specific areas of delivery that require collaboration include these:

- ▶ The provision of comfortable support centres where victims can report in privacy: located in hospitals, police stations, NGO-funded facilities and anywhere else a person might report (e.g. see Mauritius);
- ▶ Telephone help lines;
- ▶ Comprehensive psychological support for the victim from the time of the event through to reintegration (professional psychologists would need to be on 24-hour call);
- ▶ Medical support and forensics
- ▶ Legal support (e.g. advice on court procedures from Justice or civil society)
- ▶ Witness Protection Systems (e.g. allow victims to video-tape testimony to prevent secondary victimisation)

¹⁷⁷ Chennai City Police (2008) <http://www.chennaicitypolice.org/women.htm>

- ▶ Training support (e.g. police detectives and ordinary police in gender sensitivity)
- ▶ Safe Houses (e.g. Department of Social Welfare)
- ▶ Awareness campaigns involving outreach detectives and other agencies to increase reporting levels, which are typically low
- ▶ Publication campaigns involving news media (e.g. some newspapers publish photographs of offenders).

A devoted department at national level to create and drive the process of collaboration: In an overview of the findings, why would Chile be one of the best placed among the developing countries toward achieving the kinds of integrated services bulleted in the section above? The main reason is this: in 2004 an entire department was created at national level to drive delivery (Jefatura Nacional de Delitos contra la Familia, JENAFAM). There is evidence too that since this took place, the rate at which violence against women was rising has slowed. Malaysia and Mauritius are two other states with national departments devoted to coordinating programmes (e.g. the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection in Mauritius).

By contrast to the Chilean, Mauritius and Malaysian model of strategic national management from a single government ministry, the Gender Equality and Empowerment of Women Project of Nepal provides networking opportunities between police members and other partners (civil society, local government and government departments) to develop quality services. This helps too but on review seems inferior to creating a national department that drives delivery (building formal networks, funding specific programmes, employing monitoring, and evaluation to improve delivery). In other words, simply providing an 'opportunity' for people to talk and partner does not get the job done well. Integrating all programmes across departments under a single government ministry appears more effective.

Civil society partnerships are needed to advocate appropriate forms of government delivery: Another critical point on collaboration concerns civil society advocacy, particularly in those countries resistant to change (most, owing to male dominance in government and police). For instance:

- ▶ There would be no women's police stations in Brazil if there had not been grassroots civil society movements demanding such services starting in the 1970s and 1980s.
- ▶ Little would have been accomplished in Malaysia were it not for civil society movements working together with the media to pressure police and the state to take women and children's issues seriously.
- ▶ In Liberia, women's groups including lawyers and businesswomen protested the rape, domestic violence and the abuse of children's rights, and trafficking in under-age youth until the president appointed a national anti-trafficking task force in 2005.

The term advocacy does not have to be interpreted as

militancy or lack of collaboration with government but when there is a problem with government service delivery and civil society fails in its advocacy role, change is slow or does not occur at all. The successful civil society advocacy efforts in Malaysia involved bringing in *police experts* from other countries where such programmes are successful to explain to local police how these programmes work and why they are so important. The Malaysian campaign was making simple demands: comfortable environments for victims, assistance to victims in making a case against the accused and training to regular police officers to improve their attitudes and behaviours. The police learned from this civil society effort and then these obvious needs were met and better national organisation came about that included strong civil society-government partnerships.

Protocols are needed to clarify roles and facilitate monitoring and evaluation: Achieving coordination between departments and stakeholders means that each partner must understand their role. Protocols or signed agreements between stakeholders are standard procedure in wealthy countries. From 2006, the island nation of Mauritius has had a 'Protocol of Assistance to Victims of Sexual Assault.' The roles and responsibilities of all stakeholders are defined in this and then performance is monitored and evaluated by the national Ministry of Women's Rights, Family Welfare and Child Development to ensure compliance and improved delivery. The protocols also had another value: arrangements have been made whereby a victim can report directly to a hospital and find police services there for reporting (in the case of Mauritius, this is an area away from the main part of the hospital for privacy).

Findings on success rates

It seems that the provision of police services to victims is not an adequate strategy for reducing levels of domestic violence. In no example was there clear evidence that these units prevent crimes against women and children. Even the best combination of services in Chile: accessible courts, researchers, national campaigns, trained judiciary, shelters, bringing offenders to book, and reintegrating victims of violence into their families did not impact greatly on crime rates.

It is accurate that much success was located with regard to increased reporting levels, crime-solving rates and victim satisfaction. In this sense, many of the described detective units are working quite well. For instance:

- ▶ The reporting of such crimes in Mozambique went up massively when one-stop victim support centres, including detectives, were established.
- ▶ Reporting levels increased in both Chile and Argentina owing to better services such as the rapid response units that come directly to the home.
- ▶ The reporting of crimes doubled with the advent of female police stations in Brazil.
- ▶ The crime-solving rate is higher than ever in Malaysia owing to its Sexual, Abuse and Child Investigations

Division (hundreds more cases being resolved).

- ▶ Victims are reporting in record numbers to the all-female units in India indicating a demand for these services.

However, conviction rates in all ten countries reviewed were relatively low, suggesting that:

- ▶ Police methods for collecting evidence might require improvements.
- ▶ Improved relationships between prosecutors and police might make a big difference.
- ▶ The victims of crimes are being better addressed but the perpetrators responsible for most crimes are not being effectively addressed in nearly all countries reviewed.

The third factor is important: men are responsible for most crimes against women and children but most services addressed only women and children (the programme in Brazil was an exception). This cannot be expected to affect crime rates very much. On logical grounds, men's behaviour must be targeted and not just in terms of jailing them in the aftermath of committing crimes. It is men who need to be targeted by prevention efforts and job programmes. For instance, gender sensitivity training as a prerequisite for male employment might be one consideration. As indicated in the discussion on Liberia, men sit idle in some communities; many of them ex-combatants accustomed to violence, with no jobs, no prospects for the future. The outcome of not addressing this situation and only addressing victims is somewhat predictable.

Findings on training

This will be discussed in terms of (a) qualifications; (b) continuous training opportunities for detectives; (c) training integrated into the coursework, manuals and training materials of the regular police; and (d) establishing monitoring and evaluation units that *prescribe* the training that is appropriate.

Qualifications: South Africa's requirement for entry into the FCS units was basic training in a police college and then training on the job.¹⁷⁸ More recently, specialised training has been implemented for FCS officers. While Malaysia is very similar to South Africa in economic terms, the 110 women police investigators assigned to Malaysia's Sexual Abuse and Child Investigations Division are required to have tertiary degrees in a relevant subject prior to police training. This might be the normal situation in some middle-income countries and is certainly the case in all the rich ones but not poor ones and not South Africa.

Continuous training opportunities: It seems that training should not be considered a once-off event but continuous to cover various aspects of investigations, the law and appropriate treatment of victims. In richer countries this is achieved with specialised units that do nothing else but provide this

in accordance with evaluation results that determine exactly what these training needs are. This seems like good practice but among the ten countries, this was found to occur in this way only in Chile.

Whereas rich countries routinely send their detectives abroad for workshops and conferences, the poor and middle-income countries might send one or maybe two detectives abroad on occasions when sponsorship is available (e.g. international funding agencies) to interact with other specialists from around the world. This appears inadequate since training: (a) needs must be diagnosed and delivered accordingly; (b) must be fairly frequent; and (c) should involve all detectives. Practitioners need to debate how this can be provided but one can see that Malaysia brought in police specialists from Canada to address large groups of police, detectives and civil society and this seems better than selecting a few for overseas training, although both might be possible.

Training for regular police integrated into coursework, manuals and training materials: Training for ordinary police officers appears like good practice since they are sometimes first on the scene or first to receive the report, often from a victim. Thus training in the initial handling and treatment of victims and referrals is critical. It also appears to be good practice if this information is:

- ▶ Integrated into the regular coursework and training materials at police training institutions
- ▶ Found in their manuals
- ▶ Part of the Code of Conduct
- ▶ Part of the job description.

Interestingly, every one of the above practices was found in Mozambique, one of the poorest countries reviewed. Brazil does the same and ensures that all the officers that take initial complaints are specially trained to avoid secondary victimisation. Those that do not respond appropriately can lose their jobs.

Establishing a unit that engages in the constant monitoring and training of detectives: Chile's Department of Community Action and Support (part of the National Police Headquarters on Crimes against the Family, JENAFAM) specialises in making sure that the detectives employ the most up-to-date, scientific and technical methods to respond to sexual crimes, family issues and child abuse. This engages them in constant training and facilitates the monitoring of their performance. This is common first world practice at city and station level but less common among developing and middle-income countries.

Findings on resources

It is obvious that poorer and middle-income countries have fewer resources than rich countries and this helps to explain the centralisation of services at district level (with national oversight) and the need for a wide range of partnerships from local to national and even international level. However, the

¹⁷⁸ Redpath, Jean (May 2002), 'Leaner and Meaner: Restructuring the Detective Service', ISS Monograph No. 73, Pretoria: Institute for Security Studies, p.49.

sections on Nepal or Liberia may be reviewed to see how much can be done with limited resources if services are intelligently planned (with oversight) and executed in cooperation with other stakeholders. It was also evident that many poor and middle-income countries also seek out funding from international organisations (e.g. Nepal Police went to the Asia Development Bank for support).

Many of these specialised units had their own budgets and resources. For instance, it is obvious that Brazil, Argentina and India have this owing to Special Women's Police Stations with their own budgets, teams of lawyers, psychologists and social workers to address these issues. Likewise, Chile has a national department with entire institutes directed at the joint provision of psychological, legal, social and police services to women and children victims. The notable exception to this trend was Namibia, where the Women and Child Units struggle to obtain (and even compete to obtain) resources like vehicles that are needed to sustain routine daily activities.

On review, access to resources for these services seems to be partly a measure of government commitment to protecting victims of these forms of offences. Chile is most similar to South Africa in terms of wealth and this government took a very strong stand, using all resources available, to reduce violence against women and children. Perhaps the strong commitment owed to a past history of such violence but determination was the essential factor in the delivery of so many resources and services. It is doubtful if many governments would take such a strong stand without civil society members or the public demanding these services as occurred in the example of Malaysia.

No Specialisation within the Police

Angola

Angola is larger than South Africa in terms of area (1 246 700 km² vs. 1 219 912 km²) but has less than a third as many people (only 13 million). The national police do not appear to have a specialised unit responding to the kinds of offences and problems addressed by the FCS services, yet this problem is very widespread according to the Crime and Society website page on Angola.¹⁷⁹ There are also large numbers of street children in Luanda, many of them orphans. The government sponsors:

- ▶ A National Institute for Children to help address this but it appears to be as ill-equipped to deal with the problem.
- ▶ A Ministry of Women and Family to deal with violence against women and to oversee special family courts to which the police can refer but this does not seem to be well developed.

As to the Angolan police, they seem too ill-equipped to specialise because they are still in the most basic transition from a force into a service. Perhaps this reminds one of how South

Africa began in 1994 but Angola is recovering from an era of war that only ended in 2002. Most Angolan police officers received their training during the 27-year civil war and still function in a paramilitary manner.¹⁸⁰

Botswana

Botswana is a country of 1.5 million people in an area half the size of South Africa (600 372 km²) with a per capita wealth that exceeds that of South Africa's (\$5178 vs. \$4969). It has a national police force and like its neighbour to the South experiences high levels of sexual violence and abuse against women and children that seemingly increase from year to year.

While it is in its vision statement to eradicate the abuse of women and children by 2016, Botswana Police have no special unit to combat this.¹⁸¹ Furthermore, there is no mention of any special unit to focus on crimes against women and children in the Corporate Development Strategy for 2003–2009 (the focus is on crime reduction, community policing, human resource development, and facilities and support). The Botswana Police Department, which has three divisions (North, South Central and South), operates under eight branches: general duties, criminal investigations, special support group, special branch, traffic, telecommunications, transport, Police College and departmental management.¹⁸² Interestingly, the lack of specialisation occurs in a situation where Botswana is both a country of origin and one of transit for trafficking in women and children for commercial sexual exploitation.¹⁸³ Some of these women and children have been documented to end up in brothels in Johannesburg.¹⁸⁴

Since there is no special unit, regular police handle victims of child abuse, domestic violence and sexual offences. They have been provided with training for this since 1999, when investigations improved slightly.¹⁸⁵ In that year, DNA testing methods started as the police then purchased equipment and trained officers. At the same time, collaboration with NGOs concerned with women's rights evolved.¹⁸⁶ Many of these organisations are responding to a situation in which 60% of Botswana women are believed to have been victims of gender violence while the courts spend 30% of court time on such cases.¹⁸⁷

180 Simao, Paul (11 September 2007) 'Angola police not accountable for abuses,' Reuters.

181 Botswana Police Service Corporate Strategy 2003–2009.

182 Government of Botswana, http://www.gov.bw/index.php?option=com_content&task=view&id=23&Itemid=40#botswana_police

183 International Organization for Migration (March 2003), 'The Trafficking of Women and Children in the Southern African Region: Presentation of Research Findings,' Pretoria, South Africa, p. 13.

184 International Organization for Migration, 'The Trafficking of Women and Children in the Southern African Region: Presentation of Research Findings,' Pretoria, South Africa, March 2003, p. 14.

185 DeLuca, Carmela (2005), *The Stories of Women: A comparative analysis of the legal framework and treatment of Gender Violence in Botswana and Namibia*, http://www.law.utoronto.ca/documents/ihrp/HIV_de-luca.doc

186 *ibid.*

187 Speak Out, 'Rape in Botswana: a national shame,' http://www.speakout.org.za/about/about rape/about rape_botswana.html

179 <http://www-rohan.sdsu.edu/faculty/rwinslow/africa/angola.html>

Despite some advances since the turn of the millennium, it does appear that the lack of specialisation within the police on the matters of families, child victims and victims of sexual offences may be part of the failure to find a solution to the problem. Women against Rape states: 'Sexual abuse is becoming increasingly common across all sectors of the Botswana community' and that it is not 'culturally acceptable for women to speak out.'¹⁸⁸ This statement was based on research from 2000 when it was stated that 'Existing support structures are unable or unwilling to cope with the increase in violence against women.'¹⁸⁹ News stories appear to indicate that this situation persists in 2008.¹⁹⁰

Japan

Japan (130 million people; 377 873 km²) is one of the richest countries in the world (ranking 11) but it does not appear to have developed any specialisation in the way of police services on either domestic violence or child abuse. Normal case officers handle these matters. Furthermore, the culture of reporting is so weak that the Japan Children's Rights Network describes Japan as 'decades behind the United States' in developing such a culture.¹⁹¹ A brief look at the history of this is enlightening.

Neither domestic violence nor child abuse was a criminal offence in Japan until October 2001 when the first-ever court-ordered restraining laws were developed. This included laws for the prevention of child abuse and for spouses, which was revised in 2004 to include: (1) former spouses and children; and (2) psychological as well as physical abuse. Thus, only very recently, could courts order perpetrators to stay away from children and spouses and this for up to two months only.¹⁹²

What accounts for this late attention to the matter? Both domestic violence cases and child abuse in Japan have been severely under-reported for decades owing to the social stigma attached to these. For example, the term domestic violence was hardly used by the media before 1998 owing to the Japanese culture of shame.¹⁹³ Even now, it is usually referred to in an abbreviated form as 'DV'. It was only after February 2000, when the Japanese Prime Minister's Office released a national survey to find that 4.6% of women, or 1 out of 20, had been 'subjected to life-threatening violence' that the country paid serious attention (and even this study underestimated the problem owing to very low reporting

levels).¹⁹⁴ The levels of the problem are comparable to the United States where about one-third of the women killed each year are murdered by their intimate partners.¹⁹⁵

Child abuse is also much higher than normally reported to the police although trends are beginning to change. A study of child abuse-related deaths between 2000 and 2004 undertaken by Japan's Health, Labour, and Welfare Ministry found that:

- ▶ In 81% of the cases, authorities had knowledge of the abuse but apparently did not act or respond.
- ▶ In about a third of the cases, abuse was suspected and not reported.
- ▶ In a fifth of the cases authorities deemed that no intervention was necessary.¹⁹⁶

Peru

The main comparison of interest between South Africa and Peru (a poorer country of 28 million people and a GNP per capita of \$2612) is that both have very high rates of gender-based violence. According to studies carried out by the World Health Organisation, nearly half the women in Peru's major cities have been physically assaulted by their partners and the figure rises in the rural areas.¹⁹⁷ A recent Canadian report (15 March 2007) stated that 76 255 complaints of domestic violence were filed in 2005 with 91% of these being charges laid by women against men.¹⁹⁸ The Canadian report leads one to believe that the actual figures must be much larger than what appears since:

- ▶ Most of these charges take place in Lima and there is little information about the rural areas.
- ▶ The law on domestic violence only came into force in 2003 such that knowledge of the law is still limited.
- ▶ It is estimated that only 40% of the rapes are reported.
- ▶ It appears that the police discourage reporting. The report stated that the police are: not enforcing the new laws; not believing victims who report; engaging in insensitive behaviour toward women victims of violence; and frequently refuse to take complaints seriously despite a legal requirement that they do so such that the majority of reported cases do not result in formal charges.¹⁹⁹
- ▶ Amnesty International reported in 2007 that 'Human rights defenders, including victims of human rights violations and their relatives, witnesses, prosecutors and forensic experts, continued to be threatened and

188 Women Against Rape (2008) PeaceWomen Home Page, <http://www.peacewomen.org/campaigns/regions/africa/war.html>

189 Women Against Rape (2000) 'The Needs of Abused Women and Children in Botswana's Northwest,' Comic Relief Publishers.

190 Moseithe, Tshiamiso (12 February 2008), 'Rape Incidents Worry Police,' *The Voice*, Francistown, <http://allafrica.com/stories/printable/200802120772.html>

191 Japan Children's Rights Network (27 March 2008) <http://www.crnjapan.com/abuse/en/>

192 Ueno, Teruaki (13 March 2008) 'Japan domestic violence cases jump, women end silence' <http://www.reuters.com/article/worldNews/idUST27522120080313?feedType=RSS&feedName=worldNews>

193 Japanese Women Now (26 January 2001), <http://wom-jp.org/e/JWOMEN/dv.html>

194 McCurry, Justin (10 March 2006) 'Japan's Domestic Abuse Cases Rise,' *The Guardian*, <http://www.guardian.co.uk/world/2006/mar/10/japan.justinmccurry>

195 American Bar Association (2002) 'Domestic Violence and the Rights of Women in Japan and the United States,' <http://www.abanet.org/irr/hr/summer02/fulcher.html>

196 Progressiveu.org (March 13, 2008) 'Child Abuse in Japan,' <http://www.progressiveu.org/021216-child-abuse-japan-part-i>

197 BBC World Service (@200) 'Domestic Abuse in Peru,' http://www.bbc.co.uk/worldservice/people/features/ihavearightto/four_b/casestudy_art08.shtml

198 Immigration and Refugee Board of Canada (15 March 2007) 'Peru: State Protection for women victims of domestic violence', <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451073>

199 *ibid.*

intimidated because of their activities. Threats were rarely investigated and none of the perpetrators were brought to justice.²⁰⁰

The situation is bleak but not without some level of partnership support:

- ▶ A Ministry of Women's Social Development: (1) engages in studies; (2) has a hotline for receiving reports and making referrals (some to the police), and (3) has undertaken many thousands of outreach campaigns (including 82 training sessions with more than 1000 police members to improve their knowledge on the new laws concerning domestic violence).²⁰¹
- ▶ The above-named ministry also operates some 47 emergency care centres for women across the nation and works with civil society to provide shelters (36% run by government).²⁰²
- ▶ One clinic appears to be highly specialised in the treatment of victims of domestic violence to which the police do refer (San Bartolome Hospital).²⁰³
- ▶ Shelters are provided by civil society, local governments and churches (but *none* by national government).
- ▶ Many civil society organisations offer educational campaigns, legal council and clinics. One key non-governmental organisation, the Manuela Ramos Movement that is highly critical of the Ministry (and finds it ineffective) offers legal and psychological assistance at a small scale but mainly engages in advocacy.²⁰⁴

The Peruvian situation suggests that in certain countries where (a) the police do not have a specialised unit; and (b) where they have been trained to refer victims to government agencies and civil society organisations rather than provide service does not work because:

- ▶ On all accounts this leaves the police in a situation where they remain the first stop for victims and yet are not capacitated to handle the problem appropriately.
- ▶ Civil society organisations then carry the burden of delivering a large part of the services and yet do not have the budget to do so.

Altogether, the evidence indicates that a specialised unit of some kind is required at this first port of call (the police) but none seems to exist in the Peru National Police while the regular male police officers seem typically unmoved by the predicament of sexually violated women. Further, the

advocacy role of civil society is present but seems weakened by delivering on behalf of government instead of engaging in strong advocacy to get the government to deliver. Civil society members are trying to make up for inadequate government service delivery in a situation where they neither have adequate resources to do so nor the mandated responsibility.

Turkey

Turkey has a bigger population than South Africa (75 million) and is smaller in area (814 000 km²) but its GDP per capita is very similar to South Africa (\$4704 vs \$4969).²⁰⁵ More importantly, the situation in Turkey reveals that in cultural situations where women's rights are not traditionally respected, institutional arrangements are not very effective either, including police services. In other words, it appears on viewing this situation that one must address these underlying cultural factors in cooperation with many partners to make an impact.

This is also a country where men dominate in the political sphere and the political will among men to change this arrangement has been so weak that repression of women persists at a high level today and affects their educational and employment opportunities. For instance, the literacy rate for women is around 24% owing to poor educational opportunities.²⁰⁶ With regard to the police, women represent 3.5% of the police force, one of the lowest figures in the world (compare to 20–25% for South Africa, with its goal of 30% by 2010).²⁰⁷

Police services are organised by police directorates in the 81 provinces and these work with local governors and yet no evidence could be found here of specialised police services for women and children.²⁰⁸ There was: (1) evidence of some limited training for police in the 1990s and early in this century on the handling of crimes against women and children that owed to overseas funding efforts and expired when the funding did with no lasting institutional impact;²⁰⁹ and (2) evidence of very recent and short-term government training (November 2007) for 40 000 ordinary police in how to protect women and children from violence.²¹⁰

The interventions described above appear to have had limited impact and this further indicates that police training alone is not an adequate approach to reducing violence against women. There had already been police training in the years prior to 2005 when an Amnesty International report indicated that violence against women was widely tolerated not just within society but within the police, the

200 Amnesty International (2007) <http://thereport.amnesty.org/eng/Regions/Americas/Peru>

201 Immigration and Refugee Board of Canada (15 March 2007) 'Peru: State Protection for women victims of domestic violence', <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451073>

202 Republic of Peru (November 2006) Report on the status of Women at Inter-American Commission of Women Meeting, El Salvador, <http://www.oas.org/cim/XXXIII%20Asamblea%20de%20Delegadas/CIM-doc.30.ing.doc>

203 *ibid.*

204 Immigration and Refugee Board of Canada (15 March 2007) 'Peru: State Protection for women victims of domestic violence', <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451073>

205 Student of the World (2005) <http://www.studentsoftheworld.info/info-pays/rank/PNBH2.html>

206 Minnesota Advocates for Human Rights (May 2004) 'Turkey' <http://www.stopvaw.org/Turkey.html>

207 Chapter 18 Gender and Police (undated document, approx 2005) <http://www.unficyp.org/Gender%20Affairs/GRP/2.2.%20Chapter%2018.html>

208 Interpol (2008) 'European Police and Judicial Systems—Turkey', <http://www.interpol.int/public/Region/Europe/pjsystems/turkey.asp>

209 Amnesty International (2003) <http://www.amnesty.ca/amnestynews/upload/turkeyappeal1.pdf>

210 International Campaign Against Honour Killings (November 2007) 'Police receive training to combat male violence in Turkey', <http://www.stophonourkillings.com/?name=News&file=article&sid=2216>

government and the judiciary. 'The police frequently fail to investigate or press charges against perpetrators of violence against women. Women are not encouraged to bring complaints against their attackers and receive almost no effective protection from vengeful husbands and relatives.'²¹¹

It might seem that police training needs to be continuous in such a challenging situation and even the impact of this would not be enough when the bias against women is so fully institutionalised. This certainly suggests the need for special stations or units of female police officers (based on data found in the previous section of the report) working together with stakeholders at all levels to specifically change cultural and institutional formations dominated by chauvinist men. This also means strong civil society advocacy for this outcome from home and abroad – considering the intractability of the problem.

This appears to offer three main lessons: (1) training for police can be inadequate unless falling within an integrated social, economic and political plan to address all the underlying cultural factors producing the violence; and (2) at police level it is critical to create a sufficient number of female officers to ensure that female victims are addressed in an equitable way.

Analysis of the situation of no special units

In analysis, the above data indicates that:

- ▶ The countries with no specialisation do not fit the international trend described in the previous section (and the one following) since specialised units have proliferated around the world from the 1970s to the present decade.
- ▶ The reason for countries lacking police services to women and children victims is more socio-cultural than economic as it occurs in rich (Japan), middle-income (Botswana, Turkey) and poor countries alike (Peru, Liberia).
- ▶ Violence against women and children is at such high levels in these countries that at the very least an integrated national plan is required to make headway against the problem (see Angola or Afghanistan).
- ▶ Violence against women and children can spiral so far out of control (if not checked by an integrated response that includes police) that it can affect more than 90% of the population (see Afghanistan and Angola).
- ▶ The enormity of the problem also reveals that specially trained police units or even female police units are more effective initially than trying to reform an entire police force deeply affected by a culture of patriarchy (e.g. consider Angola's police that consists of male ex-combatants).

The most important finding is this: the lack of specialisation among the countries reviewed owed more greatly to male patriarchy than a policy choice driven by objective studies and analyses. These are the socio-economic and cultural

conditions of the reviewed countries:

- ▶ Very poor nations with large numbers of ex-combatants affected by the violence of war and acculturated to violence against women and children (Angola)
- ▶ Both rich and poor nations that suffered from huge and deeply ingrained cultural inhibitions in speaking about issues of domestic violence (Japan, Botswana)
- ▶ Those where male chauvinism is so deep as to be endemic in all branches of government including the police (Angola, Turkey, Peru, Botswana).

These conditions will be explained and discussed in three sections and then summarised with regard to appropriate practice in these countries and with reference to South Africa.

Very poor nations under post-war reconstruction

Post-war conditions in Angola created a culture of male ex-combatants accustomed to violence against women and children such that it is endemic and rising. Consider that most of the police are recent ex-combatants. Poverty plays a role in this too because there are so few resources to change conditions that a UN intervention (similar to the previously described responses in Angola, Liberia or Mozambique) is probably required. Of course, poverty is only a factor contributing to certain conditions but not a clear and singular cause—Japan's problems with violence against women and children are not related at all to poverty but deeply rooted in cultural belief and practice.

Deeply ingrained cultural inhibitions and male resistance to specialised units

Japan (a rich Asian country) is like Botswana (a middle-income African country) in this sense:

- ▶ It is not culturally acceptable for women to speak out about their victimisation.
- ▶ In both countries there was cultural resistance to specialised police services, even on a matter that it is high on the UN agenda.

In Peru police frequently discourage reporting and fail to investigate or file charges. The Peruvian referral system also seems to fail since the police are the first point of contact for most victims. It may be worse in Turkey where women only account for 3.5% of the police force. Many male police members discourage reporting and refuse to press charges.

Male patriarchy deep within all branches of government including the police

Regular male police officers in the Peru National Police were reported as unmoved by the predicament of sexually violated women. Police were only trained to refer victims to the civil society organisations providing the services but this failed because the unsympathetic police are the first stop for victims while civil society organisations do not have the

211 Amnesty International (02 June 2004) 'Turkey: Women Confronting Family Violence,' <http://asiapacific.amnesty.org/library/Index/ENGEUR440132004?open&of=ENG-373>

budgets to serve an entire country. Indeed, civil society appeared overwhelmed by the task, having neither the resources nor the mandated responsibility to deliver and yet unable to speak loudly and vocally about the problem since they were in service to the government.

Male patriarchy is so deep in government in Turkey, that it is a contributing factor as to why they have not been accepted into the European Union. They have used teargas as recently as 2005 to break up meetings of women protesting their predicament.

Conclusion on countries with no such services

The situation of no services to women and children victims is very ineffective based on the examples provided. It can lead to a situation where problems such as domestic violence and child abuse can spin so far out of control that a UN Plan of Action is required to respond.

If there are no specialised police services, the cycle of violence can spiral out of control. Afghanistan provides an example of how far out of control problems can get if they do not become a clear target of multi-disciplinary activities that include the police. War continues there (as of this writing) producing violent males but there was no specialisation among the police. Domestic violence eventually affected 95% of the homes in Afghanistan. Only recently (2006–2007) did the Afghan National Police set up Family Response Units to serve its 32 million people with funding from the United Nations Population Fund.²¹²

The findings suggest that it is best for the police to have a dedicated investigative team devoted to family violence, child victims and victims of sexual assault *and* that this fits within a national plan.

Specialised Units in Richer Nations: Trends and Norms

The rich countries under review were so decentralised that much could be written just about specialised police services to victims of sexual offences and domestic violence in thousands of cities and towns. To condense this vast literature, only very general trends can be examined in terms of five country examples (Australia, Canada, New Zealand, United Kingdom, and the United States) involving 20 towns, cities and provinces.

Australia

Australia has a federal system of government and practices can vary considerably under a system that devolves significant powers to each state. However, in all states, the overall trend is toward a situation in which there are a complex variety of professional service providers (with appropriate qualifications) working together to address the problem while always monitoring and evaluating these efforts. These

212 IRIN News (17 January 2006) 'Afghanistan: National Police to Open First Family Response Unit,' <http://www.irinnews.org/report.aspx?reportid=33656>

states provide useful examples: Victoria; New South Wales; and Queensland.

Victoria: Sexual Offences and Child Abuse (SOCA) Units

Within this state of more than 5 million people, the police are a large organisation employing more than 13 600 people in 339 police stations and facilities.²¹³ The Victoria police also have other units and partners that play a role in addressing sexual offences and child abuse that will be briefly described. However, 31 Sexual Offences and Child Abuse Units (SOCA) provide one kind of specialist response among a team of stakeholders that will be highlighted below. In other words, there are specially trained, highly educated and experienced police members tasked with:

- ▶ Responding sensitively and professionally to reports of sexual assaults against adults or child abuse cases
- ▶ Taking and recording statements from children and mentally impaired victims or witnesses in sexual assault and child abuse matters
- ▶ Deciding when to record statements in video format to spare the victim from secondary trauma (i.e. explaining the incident over and over) and help ensure that an exact account of the crime is recorded as close as possible to the actual event
- ▶ Assisting the victim throughout the investigation
- ▶ Providing referrals for counselling and medical attention
- ▶ Assisting with training, research and policy issues in areas of sexual assault and child abuse.²¹⁴

SOCA Units do not take over investigations but investigate cases in conjunction with many stakeholders. In other words, this work is very much coordinated with other departments both within and outside the police such as: Criminal Investigation Units; the Sexual Crimes Squad (see description under New South Wales below); the Victoria Police Family Violence Unit; the Victim Advisory Unit; the Department of Human Services (DHS); the Centres against Sexual Assault (CASA) and the Department of Justice: Family Violence Court Division.

To give an example, the SOCA unit works closely with the Victoria Family Violence Unit (FVU), which works on developing the best practices and procedures for responding to family violence. They do this by (1) monitoring and evaluating regional and state-wide responses; (2) providing compulsory police training in family violence policing and procedures; (3) coordinating the activities of various Family Violence Advisers and Liaison Officers; and (4) developing partnerships between police, government and community-based organisations and providing presentations and training for them. It is this group that developed the code of

213 Victoria Police (19 June 2007), 'About Victoria Police,' http://www.police.vic.gov.au/content.asp?Document_ID=3

214 South-eastern Centre Against Sexual Assault (2008) Sexual Offences and Child Abuse Units, <http://www.secasa.com.au/index.php/secasa/46/340>

practice for the investigation of family violence.²¹⁵ The FVU also has 10 members that are assigned to monitor stations within the five police regions with regard to responses to family violence.²¹⁶

New South Wales: Child Protection and Sex Crimes Squad

The New South Wales Police Force includes 500 police stations serving 7 million people and covers an area of 801 600 km².²¹⁷ It has a Child Protection and Sex Crimes Squad that was formed in 2000 by amalgamating three units: (1) The Child Protection Enforcement Agency; (2) Information and Intelligence Command; and (3) Serious Adult Sexual Assault.²¹⁸

These Child Protection and Sexual Crimes Squads are focused on: (1) investigating the abuse and sexual exploitation of both children and adults; (2) providing a specialist child protection service; (3) forming partnerships; and (4) continuously improving service through monitoring and evaluation research that identifies crime trends, operations, programmes and policies.²¹⁹ To perform these tasks, the Child Protection and Sexual Crimes Squads have:

- ▶ A commander: the police expert who manages the squad, makes public comment, chairs interagency meetings
- ▶ A manager for strategic support: research, forming partnerships and engaging in interagency committees
- ▶ An operational support commander: responsible for policy and programme development
- ▶ Sex Crime Teams that undertake the investigations and assist local police while paying close attention to victim safety
- ▶ An Intelligence Unit (monitoring serial sexual offences and providing intelligence)
- ▶ Local Area Commands: providing the initial response to sexual assaults and investigations
- ▶ Education Services: providing training such as the Adult Sexual Assaults Investigator's Course.

This interagency approach is worth highlighting because this seems to be best international practice. The Commander of the Child Protection and Sex Crimes Squad chairs the NSW Adult Sexual Assault Interagency Committee that meets every three months to create whole government responses to crime problems. This includes such stakeholders as: Health, Corrective Services, Justice, the Violence against Women Specialist Unit, the NSW Rape Crisis Centre, the Premier's Department, the Women's Legal Resource Centre, the Attorney General's Department, the Department of Aboriginal Affairs and the Victims of Crime Bureau.

215 Victoria Police (24 August 2007), Family Violence Unit, http://www.police.vic.gov.au/content.asp?Document_ID=288

216 *ibid.*

217 Wikipedia (19 March 2008) http://en.wikipedia.org/wiki/New_South_Wales_Police

218 McKay, Kim (Undated paper @ 2001) 'Better Policing Responses to Adult Sexual Assault.'

219 New South Wales Government (14 July 2006) http://www.police.nsw.gov.au/community_issues/children

One outcome of this interagency work has been the introduction of specialist nurses who can conduct forensic sexual assault examinations which were only conducted by doctors previously. The use of Sexual Assault Nurse Examiners speeds the response when victims of sexual assault arrive at hospitals.²²⁰

At the time of doing this research it also appeared that there had been a considerable focus on Internet crimes since a large international paedophile ring was operating from Australia. For this, there was also the recently formed Child Exploitation Internet Unit involved in the following kinds of activities:

- ▶ Both proactive and reactive investigations to identify persons utilising the Internet to groom and procure children for sexual abuse and exploitation
- ▶ Conducting investigations into the large-scale production, dissemination and possession of images of child sexual abuse (child pornography) facilitated by the Internet
- ▶ Coordinating the NSW Police responses to matters relating to child sexual exploitation referred from external law enforcement agencies
- ▶ Providing assistance, specialist advice and technical support to State Crime Command and Local Area Commands relating to the investigation of child sexual abuse and exploitation facilitated by the Internet
- ▶ Providing assistance to the Child Protection and Sex Crimes Squad by the forensic examination of computers and related systems used to facilitate child sexual abuse and exploitation
- ▶ Assisting with community awareness and education on the safe use of the Internet
- ▶ Maintaining professional networks with other state, national and international law enforcement bodies and external agencies involved in the investigation of computer-facilitated sexual crimes and exploitation of children
- ▶ A Help Desk service.

New South Wales Police also maintain a Child Protection Register based on the Child Protection Offenders Registration Act of 2000. People convicted of a violent or sexual offence against a child must register at the police station in the locality in which they reside, within 28 days of sentencing, release from custody or entering NSW after being found guilty of an offence in another jurisdiction. These registered persons will be required to provide police with certain personal information, travel plans and any changes to this information. The period of registration is for a minimum of eight years for an adult, four years for a juvenile offender and it is an offence not to register or to provide police with false information.

Queensland

This is a huge state of 1 732 700 km² with 4 million people

220 McKay, Kim (Undated paper @ 2001) 'Better Policing Responses to Adult Sexual Assault.'

in which child safety, in particular, is highly organised. This appears to fit the international pattern for richer countries where the issue of violence against women and children seldom falls to the police alone but involves significant co-operation between departments and agencies in a very structured manner. For instance, there is a Child Safety Directors Network that brings together various government agencies to coordinate their work under one Child Protection Strategy. This includes: the Queensland Police Service, the Department of Communities, the Department of Education, Training and the Arts, the Department of Housing, the Department of Justice and the Attorney General, the Department of the Premier and Cabinet, Disability Services Queensland, Queensland Health, the Queensland Treasury and the Department of Emergency Services.²²¹

Another very significant stakeholder is the Department of Child Safety, which together with the police administer the 1999 Child Protection Act.²²² This focuses these key role-players on investigations and team-building. The Department of Child Safety also monitors and evaluates performance among all departments including the police.²²³

As to the Queensland Police Service, specialisation appears to exist as follows: (1) a Child Protection Investigations Unit; (2) a Child Exploitation Investigation Unit; (3) a Sex Crimes Investigation Unit; and (4) a coordinator on issues of domestic violence.²²⁴ The sex crime investigation unit was formed fairly recently on 16 July 2001 to investigate child abuse, serial sex offences, organised paedophilia, child exploitation, Internet child pornography and other cases.²²⁵ This owed to an international paedophilia ring that operated from Australia and caused the Queensland police to focus on this. Thus, much of the literature was dominated by Internet child pornography indicating that this is a widespread problem and second to this seemed to be concern with the abuse of children in foster care.

Canada

Canadian police services are greatly decentralised in terms of both cities and provinces such that no easy statement can be offered about how Canada delivers services to women and children victims. Rather, one must look at municipalities. Two examples from Canada are highlighted below to give some sense of this variety: (1) Calgary, Alberta; (2) Cornwall, Ontario.

Calgary, Alberta: Sex Crimes Unit, Child Abuse Unit and Domestic Conflict Unit

Calgary, a city of 989 000 people, has three police units to

respond to women and children's issues and cases of sex crimes as follows:²²⁶

Calgary Sex Crimes Unit. This unit has eight detectives who have been specially trained to interview victims of sex crimes who are 14 years and older with regard to sexual assaults of all kinds, sexual harassment and stalking. All eight detectives are trained to support the victim during both investigations and criminal proceedings but this unit has another specialist team within it – the Calgary Sexual Assault Response Team – comprising a police member, a counsellor from an NGO called 'Calgary Communities Against Sexual Assault' and a medical doctor. This team is dispatched to the house to offer immediate sensitive care for the victim so as to prevent or reduce secondary trauma.²²⁷

A Child Abuse Unit that consists of ten detectives that respond to complaints of serious physical abuse and sexual assaults of children younger than 14. The detectives usually work in pairs and operate in terms of two types of teams: (1) one highly-trained team conducts videotaped or audio-taped interviews with children in a 'soft room' at the station in a manner that does not influence the child's testimony (since this is critical to a conviction); and (2) the second team, a Child-at-Risk Response Team, consists of one police officer and one social worker from the Calgary & Area Child and Family Services Authority, which responds when there is concern for the safety and well-being of a child (e.g. unsupervised children found during a drug raid). The second team also determines whether or not a child should go into protective custody or a foster home, monitors these homes too and assists children after they return from foster care.²²⁸

Domestic Conflict Unit: This unit, consisting of a team of 10 detectives well educated in all aspects of domestic violence, was created in 1998 owing to the recommendations of the Mayor's Task Force on Family Violence. Usually working in pairs, the detectives review cases (about 1000 cases reported a month) and interview complainants to identify victims considered at high risk for serious injury or death (interestingly, individuals at highest risk of becoming victims are usually well known to the perpetrator). If someone is judged to be at high risk, the officers will move that individual to a shelter or otherwise provide other options or safety planning. Moreover, the investigators will help complainants to access legal services and support services. Under the Canadian system of law, charges can be laid regardless of the victim's wishes (no withdrawing of cases by the complainant). Owing to these preventative approaches, the Domestic Conflict Unit is sometimes referred to as a 'homicide prevention unit'.²²⁹

221 Child Safety Directors Network (2008) <http://www.childsafety.qld.gov.au/partners/government/csdn.html>

222 Queensland Government (1999) Child Protection Act, <http://www.emc.qld.gov.au/asp/index.asp?pgid=10791>

223 Queensland Government, Department of Child Safety (March 2007) 2005-2006 Performance Report, <http://www.childsafety.qld.gov.au/publications/documents/cpq-performance-2005-06.pdf>

224 Queensland Police Services, Specialized Areas, www.police.qld.gov.au

225 LawLink New South Wales (22 January 2008), http://www.lawlink.nsw.gov.au/lawlink/victimsservices/ll_voc.nsf/pages/voc_outsidenswqueensland

226 The Canadian Press (13 March 2007) 'Population of Calgary Increased by 12.7 %,' <http://www.cbc.ca/canada/calgary/story/2007/03/13/calgary-census.html>

227 Calgary Police Service (2008) http://www.calgarypolice.ca/community/cpa_7.html

228 *ibid.*

229 Calgary Police Service (2008) http://www.calgarypolice.ca/community/cpa_8.html

Cornwall, Ontario: Sexual Assault and Child Abuse Unit

Cornwall, a small Eastern Ontario town of 52 km² and 48 000 people has the Cornwall Community Police Service (86 officers, 35 civilians and 8 special constables). The town maintains a Sexual Assault and Child Abuse Unit mandated to investigate any allegations of sexual assault. In addition, they have specially trained officers who investigate all cases concerning the sexual abuse of children. This can lead to prosecution and/or professional support of the family. This is all accomplished by working with a big variety of federal, provincial and municipal agencies along with civil society organisations.²³⁰

Cornwall's development of its Sexual Assault and Child Abuse Unit appears to owe in part to a crisis in the 1990s. The 1992 discovery of a ring of paedophiles (including doctors, lawyers and priests) who engaged in child abuse for decades in the area resulted in a public outcry and some negative press. Press coverage of the event and consequent suicides, prosecutions, convictions and inquiries lasted from 1992 until the last trial of the accused between October 2004 and end 2006.²³¹

New Zealand

New Zealand (NZ) police services are decentralised (the case in most wealthy countries) although there is a Police National Headquarters to help monitor and coordinate services. Altogether there are 10 300 police members serving 12 districts.²³² These are also professional operations (members require a university degree, followed by an internship). One of these is the Central Coast which addresses child and female victims of crime as a coordinated activity involving many partners. For instance, addressing domestic violence along the Central Coast involves a Domestic Abuse Response Team (DART). This was initiated by the Department of Community Services and the New South Wales Police to include: the Department of Community Services (DOCS); Tuggerah Lakes Police; NZ Police in Central Coast; NZ Violence, Abuse, Neglect Prevention Services; and Central Coast Health, NZ.

This joint activity physically relocated some police members with DOCS staff for a three-year pilot programme that has become an innovative model. The team provides an integrated response to domestic violence for all family members including offenders and children. Its formation owed to a spiralling domestic violence problem being experienced in the Wyong Shire on the Central Coast of NZ. For instance, between January 1999 and June 2001, Tuggerah Lakes police responded to 4696 domestic violence incidents (an average of 5 per day) – 73% of these involved a risk of harm to children.

Now, owing to this collaborative service arrangement, established in May 2003, DART teams respond to all reports

of family violence with the overall objective of preventing and reducing domestic violence in the area. In other words, when there is a report of a first-time offence, the team focuses intensely on this family to prevent a reoccurrence. Thus, victims, offenders and family members are all approached, addressed, and supported as follows:

- ▶ **Early Intervention:** Working in a preventative way for non-chronic families in domestic violence situations where child protection issues are present (first time victims and offenders). The team identifies families via police child-at-risk reports made following a call-out to a domestic violence incident and both DOCS and police meet with families within a day of the incident and continue right through the court process. This often ensures that victims are not dissuaded by perpetrators from filing charges and that perpetrators are also linked into services to prevent chronic domestic violence.
- ▶ **Intensive Case Management:** This involves ongoing support, compulsory education programmes and providing for the specific needs of families with high levels of domestic violence such that there is a DART discretionary budget for such services (counselling needs etc.). This has been particularly effective: chronic cases were reduced dramatically in terms of incidents (e.g. one family went from 44 incidents over two years to none).

The main activity is educating parents on the impact of violence on children and also identifying and acting on family needs. For instance, explaining to perpetrators and victims that they do not always have the option to withdraw charges in New Zealand can also have an impact on behaviour.

The United Kingdom

Police recorded 57 542 sexual offences in England and Wales in the year ending March 2007. This represented a 7% drop over 2005–06 figures.²³³ Perhaps this owes to the professional and specialised services to women, children and families being offered but making this link precisely would require significant research since police services operate at municipal or county level and there is no clear national strategy to evaluate. For this reason, there has been a strong drive by the Home Office since 2004 to engage in a national strategy that can be evaluated.²³⁴

The Home Office did pilot one potential system for national use: targeted professional support to victims of sex crimes. Thirty-eight Independent Sexual Violence Advisers (ISVAs) work from sexual assault referral centres located across England and Wales to offer advice and help victims. These professionally trained specialists will start to work with victims shortly after an attack has been reported. For

230 Cornwall Community Police Service (2008) <http://www.cornwallpolice.com/index.cfm?Title=police%20services>

231 ETV (2006) Cornwall child abuse Inquiry finally begins, http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20060213/cornwall_inquiry_060213/20060213?hub=CTVNewsAt11

232 New Zealand Police (2008) <http://www.police.govt.nz/district/>

233 Home Office (2008) <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/sexual-offences/?view=Standard>

234 Home Office (2005) 'Domestic Violence: a national report,' <http://www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence51.pdf>

example, initial contact might take place along with emergency services and the support will continue throughout the legal process that follows, and beyond.²³⁵

Despite the attempt to develop a national strategy, services are much decentralised such that the complexity of police services in England and Wales would require a huge study to embrace all the details. Five brief examples are provided below that are indicative of some common features: (1) addressing sexual offences and child abuse in richer countries is regarded as a highly professional task; (2) it involves a significant investment; and (3) it is generally aimed at developing a multi-agency response. Following these brief bullets, a sixth example, that of the Strathclyde Police, will be utilised owing to its very recent restructuring of family services. This example will help to explain the latest thinking on the subject.

These are five brief examples of the United Kingdom's decentralised police services:

- ▶ Thames Valley Police have child protection officers (with bachelor's degrees or better) who are specially trained to become professionals in dealing with children or young people who have been assaulted.²³⁶ They have also developed joint protocols with Social Services specifying exactly how to work with victims.²³⁷
- ▶ Surrey Police have a dedicated 'Public Protection Unit' headed by specially trained detectives (e.g. how to interview children and vulnerable people, gathering evidence, how to partner with other agencies in investigations) that since 1992 have investigated child abuse, vulnerable adult abuse, domestic violence and missing persons in conjunction with departments such as Social Services, Health, and Education.²³⁸
- ▶ Dorset Police have had three special units since 1992 for the areas of Poole, Weymouth and Bournemouth and these are staffed by specialist officers who investigate allegations of child abuse through a partnership approach with relevant Social Services Departments.²³⁹
- ▶ Police in Tayside (Scotland) have Family Protection Units that have developed partnerships with Social Work, Health, Education and divisions of their own detective service to both investigate and prevent all forms of child abuse and sexual abuse against both adults and children and to also contribute to child protection, policy, strategy and practice.²⁴⁰
- ▶ Metropolitan Police in the United Kingdom have Project

235 Home Office (2008) Independent Sexual Violence Advisors, <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/sexual-offences/sexual-violence-advisors/?version=1>

236 Thames Valley Police, <http://www.thamesvalley.police.uk/underzone/about-us/specialist-child.htm>; http://www.thamesvalley.police.uk/press/180208_recruiting.htm

237 Joint Police-Social Services Protocol (undated) http://www.buckscc.gov.uk/bcc/get/assets/docs/appendix_3_1.pdf

238 Surrey Police Child Protection (2008) <http://www.surrey.police.uk/cp.asp?artid=946>

239 Dorset Police Child Protection (2008) <http://www.dorset.police.uk/default.aspx?page=399>

240 Tayside Police (2008), http://www.taysidepolice.policeuk/child_prot.php

Sapphire: cross-disciplinary teams specialising in investigating rape and sexual assault cases are also trained to provide victim support (one team per borough in dozens of locations across London).²⁴¹

One station to highlight among hundreds of decentralised efforts is the Strathclyde Police (mainly in Glasgow and surrounding area) since this involves a new and innovative approach. In 2002, Strathclyde Police received in excess of 3680 child neglect cases as well as sexual and physical assault cases and in one division alone dealt with 2330 domestic abuse cases during 2002. So, in 2003 Strathclyde reorganised to combine three different kinds of units into one. This combined: (1) Female and Child Units that investigated crimes of a sexual nature and child protection; (2) Offender Assessment Units that assessed and monitored offenders; and (3) Domestic Abuse Units that dealt with home-based problems.

Today a highly professional staff now work together in Family Protection Units (one for each of the station's nine divisions) managed by a central office. Each unit is staffed by:

- ▶ An average of 17 professional and experienced members
- ▶ Two Detective Sergeants and a Detective Inspector specialising in the investigation of sensitive and emotive crimes
- ▶ A dedicated administrator for each Unit which allows staff to concentrate on dealing with victims, their cases and any problems they may face, as opposed to paperwork issues.

The 'body also has a head' because one central office acts as an intelligence unit that:

- ▶ Supports and advises each unit on all issues related to child protection
- ▶ Monitors and evaluates practices and procedures;
- ▶ Liaises with all relevant agencies.²⁴²

Furthermore, these units work with all 12 local authority Social Work departments. All staff members of both police and Social Work have undertaken joint training courses in order to deal appropriately with child victims of abuse.²⁴³ All these groups work together from the time a case is first reported to the police (the police immediately refer to the Family Protection Unit involving cases of crimes against women and children). The Family Protection Unit will:

- ▶ Consult on the victim's behalf with healthcare professionals to ensure that medical and welfare needs are met
- ▶ Investigate the crime committed against the victim
- ▶ Ensure that the victim is kept informed of what is happening and advise them on personal safety and, arrange protection if required

241 Metropolitan Police (2008) Project Sapphire <http://www.met.police.uk/sapphire/index.htm>

242 Strathclyde Police Family Protection Units (2008), <http://www.gvawp.org.uk/InforWorkers/famPro.htm>

243 *ibid.*

- ▶ Advise the victim of court matters, giving as much notice in advance of needed appearances as possible
- ▶ Advise the victim on matters which may affect their health and how to access appropriate medical help
- ▶ Liaise on the victim's behalf with health, education and social work departments, plus housing and voluntary organisations, to help the victim to gain the assistance needed to recover her/his life
- ▶ A specially qualified doctor may be required to carry out a physical examination and if so special examination suites will be used, fitted with a comfortable room to rest in, a medical examination room and a bathroom where the victim can take a shower after the examination. Toiletries are provided and, if required, the victim is given a change of clothing whenever possible.²⁴⁴

The United States of America

This is a vast country of 350 million people and hundreds of big cities and thousands of towns. Since policing is decentralised and quite variable in terms of organisation, it is not possible to survey the situation or encapsulate it neatly. Some trends might be analysed by looking at services to families, child victims and victims of sexual offences in terms of a few cities but what one generally finds is a *very high degree* of specialisation according to *each* crime type. To illustrate the complexity of this very local approach to implementation, three examples from cities and towns are briefly highlighted.

New York City Police Department (NYPD)

This is a densely-packed city of skyscrapers with 8.3 million people. It is served by NYPD, which has undergone major and recent reforms (post 2006) leading to an integrated city-wide strategy on domestic violence and child victims.²⁴⁵ One key role of the police within the strategy falls to the detective unit: respond to calls for help (child victims of sex crimes, abuse, rape, criminal sexual acts, aggravated sexual abuse and sexual abuse) and make arrests.²⁴⁶ However, this is yet too simple an understanding because the police have an even bigger role in a coordinated approach and contribute in four special ways:

- ▶ The NYPD have an oversight group, a Domestic Violence Unit, that develops, coordinates, and trains members of both the police and other departments in appropriate practice (Domestic Violence Prevention Officers, Investigators, Training Sergeants, newly promoted Sergeants, Lieutenants and Captains, newly assigned recruits to the Housing Bureau, and members of public and private organisations). There are over 400 Domestic Violence Prevention Officers (DVPO) and Domestic

Violence Investigators in the City's 76 police precincts and 9 Housing Police Service Areas! Every precinct has at least one specially trained DVPO.²⁴⁷

- ▶ The NYPD Detectives have a 24-hour Special Victims Liaison Unit with a hotline to investigate rape, sexual assault, sexual abuse, and incest involving either minors or adults while highly trained Special Victims Squads are also found in each borough.²⁴⁸
- ▶ The NYPD participate in an integrated citywide Mayoral strategy in which the police, the Mayor's Office and Administration for Children's Services (ACS) are key players developing an integrated citywide policy and response to domestic violence and child victims of crime.²⁴⁹
- ▶ An NYPD Lieutenant works fulltime at the ACS headquarters with 20 police officers assigned there to advise on investigations and help with training.²⁵⁰

Both the police and the ACS contributed to the development of this Mayoral strategy on Domestic Violence aimed at *both* prevention and intervention. These include 12 multi-disciplinary clinical consultation teams – specialists in the area of domestic violence, mental health, substance abuse and other clinical problems – that work throughout New York City's five boroughs. They perform assessments and work closely with the police and the District Attorney's Office.²⁵¹

San Francisco Police Department

This is a city of 750 000 people and many tourists. The San Francisco Police Department has (1) a Domestic Violence Response Unit (DVRU) formed in 1995 that now has 13 highly trained inspectors to aggressively enforce the department's 'zero tolerance of violence against family members and partners' and to investigate domestic violence stalking, juvenile domestic violence involving ages 15–17; (2) a Sexual Assault Section responsible for the investigation of any type of sexual assault or sexual battery involving a victim of 18 years or older or between the ages of 14 and 17 when the perpetrator is not a family member or adult in a position of trust,²⁵² (3) a Juvenile Section that is sub-divided into units concerning (a) Child Abuse; (b) Internet crime as it affects juveniles; (c) Juvenile Offenders Unit and (d) Missing Persons.²⁵³

Knoxville, Tennessee

This is a small city of 183 000 people. Knoxville Police have both a Family Crimes Investigative Unit; and a Juvenile Unit.

247 Mayor's Office to Combat Domestic Violence (2008) http://home2.nyc.gov/html/ocdv/html/services/police_initiatives.shtml

248 New York City Alliance Against Sexual Assault (2008) http://nycagainstrape.org/resource_map_pd.html

249 NYPD Crime Prevention/Domestic Violence (2008) http://home2.nyc.gov/html/nypd/html/crime_prevention/domestic_violence.shtml

250 NYPD Crime Prevention/Domestic Violence (2008) http://home2.nyc.gov/html/nypd/html/crime_prevention/domestic_violence.shtml

251 Mayor's Office to Combat Domestic Violence (2008) <http://www.nyc.gov/html/ocdv/html/services/children.shtml>

252 SFPD Investigations 1 Sexual Assault (2008) http://www.sfgov.org/site/police_index.asp?id=19948

253 SFPD Juvenile and Family Service Division (2008) http://www.sfgov.org/site/police_index.asp?id=19951

244 *ibid.*

245 Office of the Mayor (29 March 2006) http://home2.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fhome2.nyc.gov%2Fhtml%2Fom%2Fhtml%2F206a%2Fpr093-06.html&cc=unused1978&rc=1194&ndi=1

246 NYPD Special Victims Unit (2008) http://en.wikipedia.org/wiki/New_York_City_Police_Department#Special_Victims_Unit

Since 2006, the first-named unit has worked from a one-stop resource centre called a Family Justice Centre. This provides a comprehensive service to both adult and child victims of domestic violence in a non-threatening environment where both victim and their family can feel safe. Some 60 partner agencies (service providers, courts, business community) have entered into 'The Community Coalition on Family Violence' to offer a range of services from safety planning to protection assistance. In addition to victim care, the unit investigates criminal offences and prepares cases for prosecution.

The Juvenile Unit investigates crimes involving persons under the age of 18, whether they are a suspect or a victim. This includes child sex abuse cases and all missing persons, both adults and juveniles. This detail works closely with the Department of Children's Services and the District Attorney General's Office to ensure successful prosecutions. They also monitor known sex offenders to make sure that they are abiding by the Sex Offender Registry Laws.²⁵⁴

Trends in rich countries with reference to all reviewed countries

The material on the rich countries was very detailed because the detective services are complex and fit within large-scale integrated programmes serving metropolitan areas, countries and sometimes provinces. Therefore only the most general trends from the six rich countries are discussed below and this includes comparisons and references to trends in the developing world and conditions in South Africa to conclude the review. Some of the more significant trends in the wealthier countries included:

- ▶ Services decentralised to municipal or state level but with central offices that monitor and evaluate programmes, establish strategy and offer training
- ▶ Inter-departmental strategies offering a huge range of services and referrals according to joint protocols
- ▶ Professionals with tertiary qualifications providing high levels of specialised services including risk assessment
- ▶ Constant training prescribed by monitoring and evaluation units
- ▶ Rapid response teams offering mobile, holistic and integrated family services
- ▶ Intensive case management of both the victim and perpetrator for prevention
- ▶ Help desks, support services and emergency numbers that are advertised.

(a) Services decentralised to municipal or state level but with central offices that monitor and evaluate programmes, establish strategy, and offer training

The rich countries reviewed decentralise services to families, child victims and victims of sexual offences to the counties, towns and cities but this is not the case in the poor and

middle-income countries. The reason for this difference seemingly owes to:

- ▶ Limited human and financial resources in poor countries where it makes more sense to locate management with the central government or at least in its states and provinces when the countries are big such as India.
- ▶ Highly developed countries can decentralise services because they have significant human and material resources at these levels, often beyond that of entire countries in the developing world.

Despite this finding, no situation was found in the review like South Africa's where *each station* develops and manages its own programme independent of both a departmental strategy (usually municipal or provincial) and an interdepartmental strategy. One can find a situation in New York City where there is *delivery* at precinct level but this an integrated part of a well-funded city-wide strategy with many partners involving scores of precincts. Usually the situation of these wealthier nations is similar to the situation of the Strathclyde Police (Glasgow) where there is at least one central office that provides monitoring, evaluation, support, advice, and partnership building – a think tank that focuses on the big picture.

(b) Inter-departmental strategies that offer a huge range of services according to joint protocols

If anything is clear from the data it is this: many departments and stakeholders must be focused on *both* prevention and responses to make any impact on reducing the level of violence against women and children. Despite decentralisation, cities, districts or provinces in the richer countries do not leave the management of services to individual police stations. Instead:

- ▶ They organise delivery mechanisms within a single strategy, coordinating activities of many stakeholders.
- ▶ Signed protocols prescribe the expected role of each department and role-player.
- ▶ Performance is then monitored and evaluated by some department, group or oversight committee.

To abstract a typical situation: police respond to calls from victims and investigate; Justice offers legal support; Health offers medical support and psychological support; NGOs or Health offer counselling; Housing offers shelter; and Social Services might help with reintegration in the aftermath of crime and criminal proceedings. There was often a role for Education and The Arts in creating awareness of services.

Owing to the high level of interagency cooperation, there is always some form of interagency committee or group to manage this. For instance:

- ▶ In New South Wales the commander of the Child Protection and Sex Crimes Squad meets every three months with an interagency committee to create whole government responses to crimes against women and children.

²⁵⁴ City of Knoxville (2008) <http://www.ci.knoxville.tn.us/kpd/family-crimes.asp>

- ▶ In Queensland, there is a Child Directors Network that brings all government agencies together to coordinate work under one Child Protection Strategy.

Thus, it appeared that richer countries were not only following UN guidelines on practices (perhaps they are in a better position to meet them than the poor and middle-income countries) but reaching beyond this to achieve new standards by using specialised monitoring and evaluation units to improve practice. UN Resolution 2005/20 provides some 'Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime' and this reflects the minimum level of assistance expected of all nations:

- ▶ Financial support services
- ▶ Legal support services
- ▶ Counselling
- ▶ Health services
- ▶ Social and educational services
- ▶ Psychological recovery services
- ▶ Any services necessary for the reintegration of a child victim.²⁵⁵

In all the rich countries reviewed, this full range of services is provided within a single multi-disciplinary strategy linking many departments and stakeholders at a local level. This has not occurred in South Africa and might not be possible at this kind of level. However, three countries very similar to South Africa in wealth (Mauritius, Chile and Malaysia) are UN compliant. These countries have set up national-level ministries to monitor, evaluate and provide oversight to the integration of all services countrywide (including police) on crimes involving women and children. Perhaps South Africa can achieve this too but may need a clear strategy that aims to meet these standards. After all, such services are required by international agreement until the victim no longer requires them.

(c) Professionals with tertiary qualifications offering very specialised services

Those working with children and victims of sexual crimes in rich countries are highly educated professionals with, at minimum, bachelor's degrees in a relevant subject but PhDs are not unusual for certain roles (e.g. psychologists). This is often followed by an internship and additional training in issues like sexual violence against women and children and its investigation. It is understood that some training might be required on the job and new recruits might be assigned to skilled detectives that can train them but a quick three-week training course and an internship would be insufficient in these richer nations. The minimum requirement in the wealthier parts of the world appears to be a tertiary degree.²⁵⁶

255 UN Resolution 2005/20, Section 9, Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

256 UN Resolutions have established some of the expectations that highly developed countries can and do follow. For instance see, UN Resolution 2005/20, Guidelines on Justice in Matters involving Child Victims and Witnesses in Crime.

South Africa, many middle-income countries and nearly all poor countries do not fit this profile. Police officers in South Africa can complete basic training and then receive a three-week task-orientated course for admission into these units.²⁵⁷

The delivery of appropriate services, *anywhere in the world*, probably requires qualified professionals with at least a tertiary degree owing to the need to work sensitively and in an integrated manner with vulnerable women, child victims and witnesses using highly specialised approaches (e.g. special trauma rooms and video-taping equipment). One of the methods commonly used in the wealthy countries is risk-assessment. For instance, the detectives in Calgary's Domestic Conflict Units interview reporting victims and immediately do a risk assessment as to whether or not they are at high risk of injury or death and if so they are moved to a shelter or even witness protection.

In the richer cities of these wealthy countries, the professionals in the family and child violence units are divided into highly specialised units reflecting their qualifications. For instance:

- ▶ In many places, children under 14 are addressed by one unit of specialists, teenagers by another, victims of sexual offences by another, and family issues in yet another.
- ▶ Calgary has a Sex Crimes Unit, A Child Abuse Unit and a Domestic Conflict Unit.
- ▶ San Francisco divides just its Juvenile Section into four different units of specialists (child abuse, Internet crimes, juvenile offenders, and missing persons).

There were also examples in the review of smaller towns like Cornwall, Ontario where services are less specialised and more integrated because there are fewer available professionals and fewer resources. Hence, Cornwall has a Sexual Assault and Child Abuse Unit. This situation might reflect conditions in middle-income countries explaining (at least to a degree) the common phenomenon of amalgamating these different services into one unit as a resource issue, both human and material.

(d) Constant training prescribed by monitoring and evaluation units

First of all, continuous monitoring and evaluation are not only the norm in every one of the wealthier countries reviewed but well beyond this finding, these specialised detectives for crimes against women and children have entire units (at municipal or provincial level) charged with the task of ensuring quality performance according to best available practice. For example:

- ▶ In the Australian state of Victoria there is a dedicated unit of 10 evaluation experts entirely devoted to monitoring and evaluating station performance in responding to family violence and then prescribing training to address problems and gaps

257 Redpath, Jean (May 2002), 'Leaner and Meaner: Restructuring the Detective Service', ISS Monograph No. 73, Pretoria: Institute for Security Studies, p.49.

- ▶ In the Australian State of Queensland the Department of Child Safety monitors and evaluates the performance of all departments including the police and then establishes training programmes to improve performance
- ▶ Calgary's Family Protection Units are monitored and evaluated from one central city office to determine performance and training requirements
- ▶ The New York Police Department has a Domestic Violence Unit with 400 officers to monitor and evaluate practices and train officers according to the findings and another 21 specialists who do the same for the Mayor's Integrated Strategy (including police) on crimes against children.

Secondly, the training offered is based on the results of monitoring and evaluation at station level. This appears to be superior practice to what was found in the developing countries where no country provided training at station level on the basis of constantly monitoring and evaluating services at these levels. For instance, in Chile there were national plans monitored and evaluated by the central government that helped to focus the resources of various departments on integrated strategic responses.

In all the wealthy countries constant specialised training was offered to the detectives at both local and international venues to assure the best quality services. This applied to both big cities and towns in the United States. In the middle-income and poorer countries there were fewer opportunities although Chile did have a special police investigations college that provided training on handling violence against families and minors.

There are also UN standards for training that these wealthier countries easily meet and perhaps South Africa should strive to meet them in its police work with children victims. This includes a thorough understanding of:

- ▶ Relevant human rights norms, standards and principles including the rights of the child
- ▶ Principles and ethical duties of their office
- ▶ Signs and symptoms that indicate crimes against children
- ▶ Crisis assessment skills and techniques, especially for making referrals with an emphasis placed upon the need for confidentiality
- ▶ Impact, consequences, including negative physical and psychological effects and trauma of crimes against children
- ▶ Special measures and techniques to assist child victims and witnesses in the justice process
- ▶ Cross-cultural and age-related linguistic, religious, social and gender issues
- ▶ Appropriate adult-child communication skills
- ▶ Interviewing and assessment techniques that minimise any trauma to the child while maximising the quality of information received from the child
- ▶ Skills to deal with child victims and witnesses in a sensitive, understanding, constructive and reassuring manner

- ▶ Methods to protect and present evidence and to question child witnesses
- ▶ Roles of, and methods used by professionals working with child victims and witnesses.²⁵⁸

(e) Rapid response teams offering mobile, holistic and integrated family services

In rich, middle-income and poor countries alike there is a trend toward creating rapid response teams, often with access to mobile units. Several kinds of specialists arrive at the home within minutes of a report of domestic violence or child abuse. For instance:

- ▶ Calgary has a Sexual Assault Response Team consisting of a police member, a counsellor, and medical doctor that are dispatched to the home
- ▶ In New Zealand the Department of Community Services has Domestic Violence Response Teams that include police and other professionals able to respond to distress calls and deal with many situations including the perpetrator
- ▶ Strathclyde (Glasgow) has Family Protection Units that combine experts into cells or units that can offer 17 different kinds of professional support from the first report of a victim.

One key to this is rapid response. The other factor is a holistic response to the problem and this is equally important. For instance, the DART team in New Zealand is entirely holistic in its approach, working with all family members including offenders and children to first address the crisis situation and then once identified, even if a first-time offence, this team works intensively with the identified groups to prevent a second occurrence.

Are rapid response units possible in South Africa? This seems very likely since this is also a trend in countries with similar economies: Malaysia, Mauritius, Chile and Argentina. In fact, it is a trend in poorer countries too. India also has mobile units that not only include police, doctors, social workers and prosecutors but a person from the revenue office who can make financial commitments to resolving crime problems.²⁵⁹ The big difference might be that the richer countries offered more intensive care and follow-up for both the families affected by violence and the perpetrator.

²⁵⁸ UN Resolution 2005/20, Section 9, Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

²⁵⁹ Chennai City Police (2008) <http://www.chennaicitypolice.org/women.htm>

PART 2

NATIONAL OVERVIEW: FINDINGS, DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

NOTE: Reports from individual provinces are provided in Appendix 3. Tables referred to in this section may be found in Appendix 2.

AN ASSESSMENT OF FCS SERVICES BEFORE AND AFTER RESTRUCTURING

‘There has been no uniformity in the restructuring process: each provincial commissioner took their own initiative with regard to how FCS should be structured at stations and clusters.’ Participant at the Mpumalanga workshop held on 14 November 2007.

‘Services seem to have disappeared into a large mass. It is now difficult to see it as a Unit.’ Participant at the Free State workshop held on 16 August 2007.

‘Victims are sent from pillar to post except where the unit remained in the same locality.’ Participant at the Gauteng workshop held on 31 July 2007.

The above quotations aptly encapsulate the broad response of all workshop participants regarding the South African Police Service (SAPS) Family and Child Services (FCS) before and after the 2006 SAPS restructuring process. To understand the sentiments fully, Tables 1.1 and 1.2 sketch the FCS services before and after the 2006 restructuring, as seen by the respondents of the workshops of all nine provinces.

An analysis of Tables 1.1 and 1.2 foreground three critical issues. First, that the modality of the provision of FCS services in the nine provinces is linked to geographical locality of FCS staff. Secondly, that the expanded FCS mandate is not uniformly carried out by FCS staff throughout the country. Thirdly, that the provision of the service is often determined by available material resources.

It should be noted that the data summarised in this section was gathered directly from the workshops and could not be verified through information from the SAPS. Refer to the section on Methodology in Part 1 of this report.

Locality Determines Modality of Service Provision

The findings indicated that different forms (referred to as ‘modalities’) of service provision developed as a result of the restructuring. The discussion below provides an elucidation of these forms of service.

Table 1.1 (compiled from the data – though incomplete – from the nine provincial workshops) shows that, prior to restructuring, and in urban areas where FCS Units were centrally located and easy to reach by public transport, the victim reported to the nearest SAPS station which then sent the victim on to the nearest FCS Unit. Alternatively, the victim was referred by an external role-player, such as a social worker, to the nearest FCS Unit. In rural areas, where FCS Units were often located far from the victim’s abode, the victim reported the crime at the nearest SAPS station, and the station would call out an FCS investigating officer who was on standby at the nearest FCS Unit.

Table 1.2 (compiled from the data – though incomplete – from the nine provincial workshops) shows that the modality of providing the victim with a service after the restructuring process has three configurations, which for ease of reference will be called Modality A, B and C.

In Modality A the provision of services remains much the same as before. In the Western Cape, where the Unit system was retained, the modality deliberately remained unchanged. In the rest of the country where the cluster system is in operation the modality, ironically, too stayed the same. Limpopo, remained unchanged by the restructuring, because specialised staff were not deployed. The Unit system, in effect, remained. In Gauteng, the Northern Cape and KwaZulu-Natal, the victim is sent (by SAPS or an external role-player) to the SAPS station at which the FCS service is available, this not necessarily being the nearest SAPS station. In the Eastern Cape, Free State, North West Province and Mpumalanga – all predominantly rural provinces – the victim reports to the nearest SAPS station, and if no specialised FCS officer is available at that station, the station calls the nearest standby officer out to attend to the matter.

We can deduce then that the provision of FCS services is, despite the cluster system, still mostly linked to where the

people with specialised skills are located rather than where the victim is located. Seen from the victim's perspective, if specialised staff is available at the nearest SAPS station (due to restructuring) the service becomes more accessible. If not, the service remains as inaccessible as if the restructuring had not taken place: in the rural areas the victim still has to wait for a specialised officer to come to them; in the urban areas, the victim is still sent on to another locality where the specialised staff is available. In essence this is due to the fact that there were too few specialised FCS staff to deploy at the outset. Workshop participants were able to put the numbers to some of the areas, which illustrate this point. The De Aar (Northern Cape) FCS Unit serviced 22 stations prior to the restructuring. After the restructuring 8 of the 22 stations receive specialised services and 14 stations go without, in effect remaining in the same situation as they were before. Child Protection Units in the North West Province serviced 21 stations, but only 6 stations received staff after the restructuring. In Mpumalanga the numbers are somewhat better: 10 FCS specialised staff serviced 15 stations; after deployment, 5 stations are still without specialised staff.

This shortage of specialised staff was anticipated to some extent by the architects of the restructuring process. Workshop participants indicated that, with the restructuring, additional staff members were allocated to the FCS service, however, these new staff members are: unskilled and untrained;²⁶⁰ have no drivers licences;²⁶¹ have not been put through psychometric testing;²⁶² and often lack even basic skills such as statement-taking skills.²⁶³ This situation, then, we can call Modality B.

The third possibility – Modality C – is that, notwithstanding the restructuring process, the victim's case is treated as if it is a 'general' case, as opposed to a case meriting a specialised FCS service. There are two scenarios here. The first is that the possibility of getting FCS services to the victim is abandoned and the matter is handled by the general detective service.²⁶⁴ The second scenario is that the nearest FCS service does not provide a service to a particular victim because they consider such cases to be outside of their mandate, a matter to which we will return below.²⁶⁵ The matter is deemed to be a 'general' case and thus dealt with by the general detectives. The net result here is that, as with Modality B, the victim receives assistance in a locality close at hand, but the nature of the service is not what is required by policy, and it is likely that the quality of the service is less than what is desirable.

In conclusion: if the aim of the restructuring process was to make FCS services more accessible to the victim, what has

been the outcome from the victim's perspective? If Modality A applies, the victim receives a quality service from experienced, sensitive and committed staff but the victim may either:

- ▶ In the rural areas have to wait for this good quality service to reach them, although the time of waiting has been decreased for some by the cluster system since specialised staff have shorter distances to drive;²⁶⁶
- ▶ In the urban areas have to go in search of this quality service at a different locality, often less accessible by public transport than in the past.²⁶⁷

In other instances the victim may be lucky enough to receive quality service from specialised staff at their nearest SAPS station due to the deployment of such staff to station-level post the restructuring.

Regrettably this seemingly optimum situation has been compromised by two further factors. Firstly, the restructuring also coincided to some extent with the expansion of the FCS mandate in some areas. Thus the victim may be confronted by specialised FCS staff members who are either still untrained in aspects of the expanded mandate or are even unsure of what the mandate comprises, such as in the North West Province. Secondly, the victim may well find a trained, sensitive, specialised FCS member attending to their case, but the service that they receive from this well-trained member may be compromised by the fact that the member is unable to speak their language,²⁶⁸ or may be completely overwhelmed by their caseload,²⁶⁹ or may fall under a new Detective Head/Station Commissioner/Accounting Station Head who is unfamiliar with the demands placed on FCS staff,²⁷⁰ with the result that this skilled FCS provider feels demoralised, demotivated and uncertain of their future career path and promotion prospects.²⁷¹

If Modality B applies, the victim gets poor-quality service and in rural areas may have to wait for this poor-quality service to reach them from the cluster system or in urban areas may have to go to another locality that is less accessible by public transport.²⁷² Moreover, poor quality of service is not only attributable to lack of training and skills, but also to issues such as that:

- ▶ staff who have been assigned to FCS work are disinterested, negative and without a passion for the job;²⁷³
- ▶ staff are not motivated to make FCS their career (due to the weakening of FCS as a career path by the restructuring) and thus reluctant to acquire the necessary skills and training;²⁷⁴

266 See Table 1.2 for the Eastern Cape and North West Province.

267 See Table 1.2 for Gauteng, and the situations in Kimberley/Galashewe in the Northern Cape and Bloemfontein in the Free State.

268 See Table 1.2 for the Eastern Cape.

269 See Table 1.2 for the Free State, North West Province and Limpopo.

270 See Table 1.2 for the Eastern Cape, North West Province, Mpumalanga, Limpopo and KwaZulu-Natal.

271 See Table 1.2 for the Eastern Cape, North West Province and Mpumalanga.

272 See Table 1.2 for Gauteng, and the situations in Kimberley/Galashewe in the Northern Cape and Bloemfontein in the Free State.

273 See Table 1.2 for the Northern Cape and Free State

274 See Table 1.2 for Limpopo.

260 See Table 1.2 for the Western Cape, Eastern Cape, Northern Cape, Free State, Gauteng and North West Province.

261 See Table 1.2 for the Northern Cape.

262 See Table 1.2 for the Eastern Cape, Northern Cape and Free State.

263 See Table 1.2 for the Northern Cape, North West Province and KwaZulu-Natal.

264 See Table 1.2 for the Eastern Cape, North West Province and Mpumalanga.

265 This applies mostly to adults in the North West Province, Mpumalanga and KwaZulu-Natal, but also in some instances to child victims at some Gauteng stations. See Tables 1.2 and 1.4.

- ▶ staff are insensitive to victims;²⁷⁵ and
- ▶ staff are without the mentorship of specialised senior staff.²⁷⁶

Finally, if *Modality C* applies, the victim receives no FCS service, but at the least their case is handled by the SAPS station closest to them.

The Expanded FCS Mandate and FCS Service Provision

As noted earlier, the 2006 restructuring of FCS services also coincided with the expansion of the mandate for FCS services. Table 1.3 illustrates the types of cases that FCS/CP Units were handling prior to 2006, and Table 1.4 details the types of cases that FCS staff is taking on post the restructuring process.

A comparison of the data in these two tables immediately brings to light that not all FCS staff take on all cases that fall under the mandate. Adult women are the most likely casualties of this uneven service provision, with the data showing that some FCS clusters did not provide services in relation to domestic violence matters.²⁷⁷ In the North West Province, Mpumalanga and Northern Cape, some stations are unsure of their FCS mandate post restructuring, with the result that, in, for example, De Aar, an adult victim will receive no FCS service if there is no FCS member available at the station to which the victim has reported the matter. In Limpopo, the matter has improved somewhat, with some FCS clusters providing services to adult victims. But adult victims are not the only casualty. In Gauteng some stations still do not provide FCS services to victims that fall under the Child Care Act. The result of this uneven application of the FCS mandate is that victims that should receive FCS services – with luck more accessibly post the restructuring – are being denied the services of both skilled and unskilled FCS staff, and are relegated to the caseloads of the general detective services.

FCS Service Provision is often Determined by Available Material Resources

Returning to Tables 2.1 and 2.2, an analysis of the physical resources available to FCS staff before and after the restructuring, brings to light the following. Prior to the restructuring in 2006, participants reported that FCS service-delivery was hampered by a shortage of vehicles in four provinces,²⁷⁸ a shortage of telephone and computers in two provinces,²⁷⁹ and a general shortage of victim-friendly facilities.²⁸⁰

275 See Table 1.2 for Free State and KwaZulu-Natal.

276 See Table 1.2 for KwaZulu-Natal and Mpumalanga.

277 See Table 1.4 that shows that the FCS in Durban do not take on cases in terms of the 1998 Domestic Violence Act.

278 See Table 1.1 for Free State, Gauteng, North West Province and KwaZulu-Natal.

279 See Table 1.1 for the Northern Cape and Gauteng.

280 Data from the nine provincial workshops is not entirely clear in this regard.

After the restructuring, physical resources problems remain, with the following problems being reported:

- ▶ A shortage of vehicles reported in eight provinces;²⁸¹
- ▶ A shortage of telephones reported in five provinces;²⁸²
- ▶ Not enough computers in reported five provinces;²⁸³ and
- ▶ Not enough victim-friendly rooms in seven provinces.²⁸⁴

The general picture is that the quantity of vehicles in the various provinces has remained almost unchanged subsequent to the restructuring, but that in many cases (e.g. Eastern Cape, Limpopo, KwaZulu-Natal) FCS vehicles have been integrated into the general vehicle pool at station or cluster level and staff have to compete for these vehicles with other officers doing general work.

Shortages and other problems with telephones and computers have now been reported in a further three provinces, and the shortage of victim-friendly facilities where FCS staff are stationed is now almost countrywide. Note that only the Western Cape and Limpopo – both of which have retained FCS staff at the same locality post restructuring – did not complain of this problem. Participants at all nine provincial workshops indicated that the shortage of physical resources available to FCS staff severely hampered the speed and quality of service delivery to victims, both before and after restructuring. However, restructuring has not only made resource shortages more acute, but resources needed for FCS services are now no longer under the control of a FCS Unit. FCS staff noted that this loss of autonomy over limited resources such as vehicles, mobile phones and computers has diminished a flexible response to the demands of workloads among FCS staff. Whereas in the past under a Unit system staff could negotiate the use of vehicles and phones among themselves and thus plan their work accordingly, the restructuring has placed such resources under the management and demands of an entire station or even cluster, with a far less predictability in relation to issues of allocation.

Strengths and Weaknesses of Services Before and After the Restructuring

Workshop participants at all nine provincial workshops were asked to define the strengths and weaknesses of FCS services both before and after the restructuring process. Although a great many issues were raised, in addition to the problems identified above, what follows is a sketch of the strengths and weaknesses prior to and after the restructuring that are common to eight of the provinces, though in varying degrees. Since the Western Cape resisted restructuring and has officially retained the Unit system (at the time the data was collected), the strengths and weaknesses identified by

281 See Table 1.2 for all provinces except Western Cape.

282 See Table 1.2 for Northern Cape, Gauteng, Eastern Cape, Mpumalanga and KwaZulu-Natal.

283 As above.

284 See Table 1.2 for the Eastern Cape, Northern Cape, Free State, Gauteng, North West Province, Mpumalanga and KwaZulu-Natal.

the participants of the Western Cape workshop will be dealt with separately.

Strengths and weaknesses of FCS Units prior to 2006

Strengths

Firstly, it was noted that the FCS Units were well known to both external role-players and the community. Participants from the Eastern Cape, Northern Cape, Free State, KwaZulu-Natal and Gauteng all noted that the contact details of FCS Units were known to all in the field. Secondly, it was agreed that prior to the restructuring, relationships for inter-sectoral cooperation had been established and were being actively maintained by the FCS units and other service-providers in the system (particularly noted in the Northern Cape and KwaZulu-Natal). Thirdly, it was agreed that external role-players, (particularly in Gauteng, KwaZulu-Natal and the Northern Cape) were easily able to keep track of cases that were referred to the specialised Units. It was noted that Investigating Officers allocated to cases remained consistent and they could be contacted wherever they were and they would be able to provide information relating to progress in cases.

Weaknesses

Workshop participants agreed that the biggest weakness of the FCS Units was the physical distance between victim and service provider. This complaint emanated mostly from provinces with large rural constituencies such as the Eastern Cape, Limpopo and Mpumalanga, but even the predominantly urban Gauteng offices were also subject to this weakness. The shortage of physical resources, which has already been expanded upon above, was another weakness identified. But another weakness complained of, in particular by participants of the Eastern Cape, Mpumalanga and KwaZulu-Natal was that FCS detectives carried caseloads that were too high. The details presented in each province are set out in Table 1.5.

Strengths and weaknesses of FCS Services after 2006

Strengths

Workshop participants were in agreement that the underlying principle of the restructuring process, that is, to make FCS services more accessible to the people – was an important strength. It was also noted that the cluster system did in fact decrease the radius that detectives at an Accounting Station had to service, particularly mentioned by participants from the Eastern Cape, the North West Province and Limpopo. Less time on the road meant improved reaction times, more frequent feedback to victims and an improved after-hours service. Aligned to the improvements brought by the cluster system is that the deployment of skilled staff to rural areas brought about a much needed transfer of skills to such areas. Concomitant with the restructuring and redeployment process was the appointment – in some areas – of forensic social workers and a general increase in the availability of social workers. A last and very positive strength that seemed to take

place concurrent to the restructuring was a vast improvement of training courses for FCS staff. Courses were reported to be more detailed and focused around the investigation of FCS cases, and offered on an ongoing basis. It was reported that an advanced course was also available.

Weaknesses

Weaknesses brought about by the restructuring process to FCS service delivery country wide outweighed the strengths. The following weaknesses were mentioned to varying degrees by most provincial participants:

- ▶ The continuity of services for victims already in the system became a problem with the redeployment and relocation of officers who had already built relationships with victims and other service-providers in the system.
- ▶ The restructuring resulted in a variable quality of service across stations and provinces as new personnel brought into the system (and some existing staff) were not trained to deliver a high quality of service.
- ▶ The distribution of human and material resources was reorganised but remained inequitable, resulting in some communities benefitting but others being worse off.
- ▶ The loss of autonomy by FCS officers over resources diminished their control over service provision.
- ▶ The expanded mandate increased case loads, or is simply not common to all stations.
- ▶ FCS staff are being assigned FCS work as well as other general case work.
- ▶ The external role-players and public often do not know where to access FCS services.
- ▶ Inter-sectoral relationships that had been established to improve the quality of service for victims either took strain or collapsed.
- ▶ Budget mechanisms for FCS work remain unclear.
- ▶ Management at both station and cluster level have limited understanding of what is needed to provide an FCS service in their area.

More extensive details pertaining to the different provinces are set out in Table 1.6.

Strengths and weaknesses pertaining to the 2004 restructuring process in the Western Cape

In the Western Cape the restructuring process was confined to a move from limited Child Protection Units to an expansion in the province of a greater number of Units, now called FCS Units in 2004 (see Table 1.2). This much more limited restructuring process also brought strengths and weaknesses, as itemised below.

Strengths

- ▶ In Units where there were now sufficient vehicles, appropriate transport was now available to victims.
- ▶ There were a larger number of victim-friendly facilities.

- ▶ Collaboration with other role-players in the provision of a holistic service was enhanced, particularly after the appointment of the forensic social workers.
- ▶ Some FCS staff members were described as being committed, dedicated, having a passion for their work and often going the extra mile to assist victims (sometimes using their own resources).

Weaknesses

- ▶ Domestic violence was still being handled at station level rather than exclusively from FCS Units.
- ▶ Both the broadening of the FCS mandate, as well as the redeployment of some of the erstwhile CP Units into more diverse language localities meant that FCS detectives were not always conversant with all the languages spoken in the various communities.
- ▶ The extended mandate and lack of specialised training for many newer FCS staff resulted in the following criticisms of skills levels applicable to some Unit members:
 - ▷ Poor quality feedback to families, victims and other role-players.
 - ▷ Poor understanding of children's stages of development and their language abilities.
 - ▷ Poor and insensitive interviewing skills.
 - ▷ Limited understanding of the law in terms of the rights of children.
- ▶ Criticisms levelled, again at some FCS Unit members, relate to:
 - ▷ Indifferent or harsh and judgmental attitudes to victims, particularly older or adolescent children.
 - ▷ Cruel and rude language that intimidate or discourage victims.
 - ▷ Insensitivity to the requirements to confidentiality through inappropriate discussion of case details among members.
- ▶ Referral to counselling, therapy and court preparation was a problem.
- ▶ Impact reports not being requested from social workers, impacting negatively on court processes.
- ▶ High case loads that result, from the victim's perspective, in less thorough service and brusqueness, whilst from the SAPS perspective results in burnout.
- ▶ Poor intra-unit communication and ineffective communication with victims, families and external multi-disciplinary teams, particularly health services. The results of poor communication with victims means that victims are often unaware that their cases have been withdrawn; that victims are not *subpoenaed* on time; that victims are not informed of issues pertaining to bail, and violation of bail conditions.
- ▶ More male than female staff members in Units.
- ▶ Lack of administrative staff.
- ▶ Difficulties during shift changes, particularly regarding transport.
- ▶ Protocols regarding the registering cases and the taking of

statements is not always followed by police stations.

- ▶ Despite the expansion of FCS Units, Units were still not geographically close enough to communities.
- ▶ Finally, workshop participants from Helderberg were unanimous in their condemnation of the FCS service now available in their area. They were all of the express opinion that the erstwhile CP Unit, with its quality and trained detectives, offered a far superior service to their area than the current FCS Unit now servicing their area.
- ▶ Poor communication between Units and SAPS stations.
- ▶ Office numbers and standby cell numbers have not remained consistent making speedy contact difficult.
- ▶ Monitoring and complaints mechanisms are unclear or unavailable.

The Restructuring as a Process: Perspectives on this Process from FCS Service Providers at the Nine Provincial Workshops

Workshop participants were asked to provide comments on the process adopted by the SAPS for the restructuring process. This discussion raised a number of themes which are discussed below.

Communicating the process of restructuring

All nine workshops identified the SAPS communication as being severely problematic. The decision to restructure was a national, top-down decision that was preceded by rumours, mixed messages and media reports. There appeared to be only limited ground-level consultation, and seemingly not much regard was given to ground-level SAPS suggestions once the process was mapped out. Role-players external to the SAPS in both government departments and civil society organisations complained that their views had simply not even been canvassed. The result was that FCS staff members were confused, demoralised and demotivated. Questions such as who was to be redeployed, where to and when were not promptly made clear. FCS members worried about job security, deployment to other areas, career paths and promotion possibilities and it was noted that the possibility of restructuring created tension among colleagues. In the event, redeployment did in fact mean that some FCS members had to relocate away from their families.

The failure of effective communication to SAPS personnel, and then to external service-providers resulted in confusion relating to the management of cases already in the system and ultimately in victims suffering. The net result was a loss of confidence in FCS Units and staff by the community and external role-players.

A further and related criticism was that the entire process took too long.

Recommendations from workshops were:

- ▶ There needed to be a comprehensive SAPS document describing the plans for restructuring and the extension of services over the next few years. This needed to be

made available to SAPS FCS staff, external role-players and communities.

- ▶ An aggressive public awareness campaign is needed to restore confidence and provide information about SAPS plans, as well as the availability of services.

Restructuring seemed to lack planning

Workshop participants raised a range of issues relating to the planning of the restructuring. These included:

- ▶ The restructuring seemed to have been implemented without prior and large-scale training of staff in relation to the extended FCS mandate. There does not seem to be a plan for this going forward either.
- ▶ The restructuring was not planned with court jurisdictions and hospital boundaries in mind.
- ▶ No prior audits of populations, distances and caseloads were conducted to assist to establish where the need was greatest and what caseloads would look like.
- ▶ Some SAPS stations lacked community trust and confidence and were yet still identified as cluster stations for FCS services.
- ▶ There was no planning regarding continuity of resource allocation when FCS officers were deployed to station or cluster level.
- ▶ There was no planning in relation to how FCS staff would be managed and would receive mentoring and guidance, if shifted away from experienced FCS superiors.
- ▶ No planning was done as to how the inter-sectoral relationships would be managed during and after the restructuring. Other role-players were not informed about plans; no interim measures were put in place with regard to communications, etc.
- ▶ There was no planning about cases already in the system. Some detectives who were deployed handed in their dockets at their station; others carried them with them to their new areas.

Differential interpretation of communications from SAPS national by provinces, clusters and stations

Workshop participants indicated that there was no consistent and uniform management of FCS services at provincial, cluster or station level. Each province, cluster and station seemed to be conducting their own planning and making independent demands. Furthermore, it was noted that at different levels of command, that is, Head of Detectives at Station Level, Station Commissioners at Accounting Stations, Provincial Heads of Detectives, Provincial Commissioners, there was little understanding of the how to provide an effective FCS service, and the specific resources that would be needed to do this. This resulted in little certainty as to a wide range of issues including: what kind of officer (with what level of training) should be expected to investigate FCS cases; what resources s/he should have at his/her disposal; and who should manage him/her. The variability relating to how FCS officers are managed and resourced results in

significant variations in the nature and quality of service delivered throughout the country. This needs to be addressed by a return to centralised national control over FCS services.

Recommendations from workshops were:

- ▶ A comprehensive standing order is needed so that all levels are informed as to how FCS services, resources, management and oversight are to be conducted.
- ▶ FCS should fall under national command not detective commanders.

No clear financial management systems for FCS services

Here the complaint is that there is no uniformity in the budget mechanisms for FCS services. FCS services function under the constraints of each cluster's detective budget, which in turn is dependent on the caseload demands placed on that budget. Inevitably this means that the quality of FCS services suffers. Aligned to this is that no compensation is planned for overtime work, which also affects the quality of service.

DEFINING THE ELEMENTS OF A HIGH QUALITY SERVICE

The Cases that Family and Child Services should be Handling

Although the SAPS mandate sets out clearly what crimes FCS units should be handling, the nine provincial workshops provided the opportunity to reflect on the mandate and whether it was feasible to carry out that mandate in full whilst simultaneously providing a high-quality service. Considering the professions, expertise and past work experience of most of the workshop participants it is not surprising that there was no debate about the fact that FCS service providers should be handling cases involving child victims. Participants were unanimous that they should be providing a service to child victims in relation to the following cases:

- ▶ All sexual offences (rape and attempted rape – as per the new definition, indecent assault, and incest), as well as child pornography
- ▶ All violent offences, except murder, i.e. attempted murder, assault GBH and assault common
- ▶ Kidnapping and abduction
- ▶ All forms of neglect, abuse and exploitation of children envisaged by the Prevention of Family Violence Act of 1998 and the Child Care Act.

Regarding adult victims, the participants were also in agreement that FCS services should be provided in respect of all sexual offences. Participants from the Western Cape were of the opinion that FCS Units should remain focused on sexual offences, and for all other crimes should remain focused on child victims but that older children should not be neglected.

What was contentious at all the workshops, however, was whether FCS services should and could provide a quality service to adult victims of family violence (other than sexual offences and murder) as envisaged by the Domestic Violence Act of 1998 (attempted murder and assault being the principle crimes here). It was noted that domestic violence incidents in many instances also result in the commission of lesser crimes, such as *crimen injuria* and malicious damage to property.

Moreover, the Domestic Violence Act also makes it mandatory for a police official to act proactively and preventively, and the Act sets out a range of duties and functions that police officers are obliged to carry out to give effect to the Act. Considering the very large number of domestic violence complaints lodged daily at police stations across South Africa and thus the burden of investigating all these offences,²⁸⁵ as well as the duties and functions made mandatory by the Domestic Violence Act, workshop participants were divided about whether these functions could and should be included in the FCS mandate. Some workshop participants were of the opinion that FCS services could only provide a service where children were involved; others felt that FCS services should only take on cases of a more serious nature – attempted murder and assault GBH – emanating from domestic violence, and leave the balance of lesser offences arising from the same incident to the other officers to deal with. Others, however, pointed out that it would not be possible to disaggregate the various crimes into separate investigations, since it would require complex coordination and thus FCS services would be obliged to carry out all the aspects of the Domestic Violence Act.

The question that remained was whether specialised FCS officers would be able to provide a high-quality service should all of these cases fall to them to attend to. A suggestion was made at the Northern Cape workshop that cases arising from domestic violence should be graded according to how much time and effort is required for their investigation, which should assist to establish the involvement of FCS staff. At the North West Province workshop the suggestion was made that FCS services should have three sub-units, that is, a Family Violence Unit, a Child Protection Unit and a Sexual Offences Unit.

This debate was not resolved at the workshops, and the ambivalence of participants becomes evident when seeking to define what a high-quality FCS service should entail, as set out below.

FCS Cases: the Functions/Activities relating to each and Indicators of Quality

Sexual offences pertaining both to adult and child victims, as well as intra-family violence requiring medical attention

From the moment such a complaint is made to any service provider, through to the point at which the victim testifies in court, the functions of service providers and the related indicators of quality should run in the following order.

1. Activity:

Point of first entry: the victim makes a complaint and a statement is taken from the victim to establish the nature of the crime(s).

Indicators of quality:

- ▶ If the victim makes the complaint first to a non-SAPS role-player, that person should have a standby list of FCS investigators to ensure rapid contact of specialised SAPS staff and the SAPS staff should collect the victim and transport him/her to the SAPS station.
- ▶ If a victim contacts the SAPS station telephonically to seek assistance, the victim should immediately be put through to a trained liaison person, who will liaise on their behalf with the FCS staff. The victim should not have to tell their story to any and every person who answers the phone.
- ▶ The FCS area should be separate from the rest of the SAPS station building, and should be clearly identifiable as such to the public.
- ▶ The FCS area should have child-friendly facilities and a Trauma Room, and the victim should wait for the statement-taker in the Trauma Room staffed by trained counsellors.
- ▶ The statement should be taken by an FCS officer, preferably a female officer. Should the victim be a child, the statement should be taken by an officer with special skills for this task. This means that the person should understand the stages of child development, as well as how to communicate with a child. The person should have the necessary skills to interview a traumatised victim.
- ▶ It is preferable that the SAPS officer who will be investigating the case takes the statement. One detective should handle the case from start to finish.
- ▶ The statement must be taken promptly to ensure that the victim does not have to wait long to get help and should be taken in a private environment, preferably in the Trauma Room.
- ▶ The statement-taker must be non-judgemental and treat the victim with empathy and respect, and ensure the privacy and confidentiality of the statement.
- ▶ The statement-taker must ensure that the statement is comprehensive to ensure that the victim does not have to repeat information several times and to several people.
- ▶ The statement-taker must be conversant with the proper

²⁸⁵ According to participants in the North West Province workshop, domestic violence cases swamp all other cases.

procedures to ensure rapid, efficient intervention.

- ▶ Interpreters should be on hand to assist if the statement-taker is not able to communicate with the victim in their mother tongue.
- ▶ The statement-taker must inform the victim of the procedures that will follow (medical examination, counselling, case investigation and arrest of the suspect, bail applications and court appearances).

2. Activity:

The FCS staff member will register the case, open a docket and maintain records.

Indicators of quality:

- ▶ Efficiency and comprehensive administration.

3. Activity:

The FCS staff member ensures that the victim undergoes a medical examination.

Indicators of quality:

- ▶ The FCS member transports the victim to the medical facility immediately after the statement has been taken.
- ▶ The FCS staff ensures that the medical examination is conducted within 72 hours of the offence being perpetrated, where the crime is reported within this period.
- ▶ The FCS staff should not use their discretion as to whether the victim requires a medical examination (particularly if the victim makes a complaint of indecent assault).
- ▶ The medical examination should preferably be conducted at a medical facility with a special environment for victims of sexual violence, particularly child victims, and with specially trained doctors and nurses.
- ▶ The FCS staff should ensure that the medical officer has sufficient supplies of and makes use of a Sexual Assault Crime Kit.
- ▶ Forensic evidence must be collected and handled by specialist forensic staff only (doctors, trained nurses and forensic social workers).
- ▶ The FCS staff member should ensure that the J88 and s. 212(4) affidavit are comprehensively completed by the doctor.

4. Activity:

The FCS staff should arrange counselling for the victim and family.

Indicators of quality:

- ▶ It is preferable that all FCS services be provided at a One-stop Centre, where this service will be accessible on-site.
- ▶ The FCS staff member should arrange for counselling for the victim and family and then transport the victim to the place where counselling will take place (or if not immediately possible, back home, or if appropriate to a place of safety). This means that the FCS staff member

should have all the contact details of places of safety or safe houses in the area, and should actively promote safe houses.

- ▶ If appropriate, the FCS member will refer the matter to a social worker to investigate the background of a child victim and to check whether there is a need for the child to be removed from the care of those currently responsible for him/her.
- ▶ If a One-stop Centre is not available, the FCS staff member should have all the necessary referral contact details: psychologists, social workers, religious leaders of the various denominations should the victim indicate that they wish to see such a person.
- ▶ The FCS staff member will be well networked with all external FCS role-players and will monitor such service provision to ensure that a high-quality service is provided by such organisations and their staff.
- ▶ The FCS staff member will thus only refer the victim to counselling facilities staffed by trained personnel working in a victim-friendly environment.

5. Activity:

The management of the Crime Kit and Medical Report.

Indicators of quality:

- ▶ The FCS staff member will ensure that the forensic material is sent to the forensic laboratories speedily and will ensure that the laboratory results are returned and filed in the docket in the shortest possible time.

6. Activity:

Management of the crime scene.

Indicators of quality:

- ▶ The FCS staff member shall take control of the crime scene, ensure that all forensic evidence is gathered, that photographic evidence is taken, and that all other possible evidence is gathered. This should be done within 24 hours of the offence being reported to prevent the loss of evidence.

7. Activity:

The arrest of the suspect.

Indicators of quality:

- ▶ The suspect should be arrested as soon as possible.
- ▶ The FCS staff member should network with other SAPS stations (if necessary) to effect an arrest of the suspect.

8. Activity:

Actions in relation to bail proceedings.

Indicators of quality:

- ▶ The FCS staff member shall provide information to the victim and family regarding the bail application.

- ▶ The FCS staff member shall provide support and protection to prevent the perpetrator from intimidating or interfering with the victim and state witnesses.
- ▶ The FCS staff member shall provide the victim with transport to and from court for the bail application hearing.
- ▶ The FCS staff member shall ensure that the appropriate testimony is made available to the court.
- ▶ The FCS staff member shall ensure (if appropriate) that bail conditions are complied with.

9. Activity:

The case investigation, identification parade and the serving of subpoenas.

Indicators of quality:

- ▶ The case should be investigated by specialised, trained investigating officers only and be conducted speedily and efficiently.
- ▶ In order to ensure a thorough and expeditious investigation, the investigating officer should be familiar with the area where the crime was committed.
- ▶ Identity parades to be conducted in one-way glass rooms.
- ▶ The investigator should build a relationship with the victim, but leave the provision of emotional support to trained counsellors.
- ▶ The investigating officer shall provide constant feedback to the victim regarding the progress of the investigation.

10. Activity:

Court preparation and court proceedings.

Indicators of quality:

- ▶ The FCS staff member shall liaise with a specialised prosecutor regarding the necessary evidence required to build a solid case.
- ▶ The FCS staff member shall transport the victim and family to court for testimony.
- ▶ The victim should be prepared for court in child/victim-friendly surroundings
- ▶ The court proceedings should be conducted in a specialised court.

Neglect, abuse (other than physical and sexual) and exploitation of children envisaged by the Prevention of Family Violence Act of 1998 and the Child Care Act

The following FCS services shall be made available to such children on the neglect, abuse or exploitation becoming evident:

1. Activity:

Taking a statement from such a child.

Indicators of quality:

- ▶ The statement should preferably be taken in a playroom environment.

- ▶ The missing persons register should be checked.

2. Activity:

Refer the child to a social worker for an assessment.

Indicators of quality:

- ▶ Ensure that the child attends the assessment.
- ▶ Social workers shall make use of the victim-tracking system.

3. Activity:

Separation of child victim from abuser.

Indicators of quality:

- ▶ In cases where the accused is a family member, remove the perpetrator from the home environment rather than the child victim.
- ▶ Otherwise remove the child with a Form 4 to a place of safety.

Specialised child victim cases and special child victims

- ▶ Cases of child trafficking and child pornography shall be dealt with by FCS members with specialised training in Internet-related crimes and the context in which trafficking takes place.
- ▶ Child victims with challenging behaviour should be referred to a social worker to assess the causes of such behaviour.
- ▶ Should the child victim be disabled the entire process (see above) should be speeded up.
- ▶ Should the child victim be a refugee, the FCS service providers should contact Home Affairs.

Offences arising from domestic violence as envisaged by the Domestic Violence Act of 1998

The comments made under the above heading ‘The Cases that Family and Child Services should be Handling’ are of relevance here. In the light of the debate mentioned, workshop participants were far less thorough in their itemisation of activities required and the relevant indicators of quality. The situations in which domestic violence is brought to the attention of the SAPS is also a lot more variable.

1. Activity:

Becoming aware of a domestic violence incident.

Indicators of quality:

- ▶ The SAPS member should have knowledge of the procedural aspects of the Domestic Violence Act.

Mandatory functions:

- ▶ Visit the scene if called out to an incident.
- ▶ Ensure the safety of children, if any.
- ▶ Interview the complainant.
- ▶ Advise the victim of protection order procedures if no

order has already been granted.

- ▶ If an order has been granted, arrest the suspect.
- ▶ Ask whether the victim wishes to lay a criminal charge.
- ▶ Remove the suspect from the scene.
- ▶ Always transport victim and perpetrator separately.
- ▶ Assist the victim with the necessary procedures required to obtain a protection order.
- ▶ Assist the victim to collect their belongings from home.
- ▶ Provide transport to a safe place.
- ▶ Promote safe houses.
- ▶ Refer the victim for counselling.
- ▶ Contact social workers to assist minors in the house.

If any criminal charges are brought, then the functions and indicators of quality set out under 'Sexual Offences pertaining both to adult and child victims, as well as intra-family violence requiring medical attention' above should take effect.

Where Should FCS Services be Located?

Most provincial participants stated that the ideal would be that FCS should be located at all SAPS stations, but conceded that what was more realistic was that the service should be available at every SAPS cluster. Certainly what is desirable is that cognisance should be taken of where there is the greatest need for the service, possibly guided by statistics. So-called 'hotspots' and areas that have been disadvantaged should be given preference in terms of locality, however, this should be balanced by the need for centrally located – easily accessible in terms of public transport – premises. For provinces with widely spread rural areas it was suggested that mobile stations be considered.

Importantly, all participants were emphatic that the part of the SAPS-owned building dedicated to FCS should be separate from the rest of the building.

Where the service cannot be provided at a SAPS station, the service should be placed at Victim/Trauma Centres or clinics/hospitals.

Participants from seven provinces expressed the desire that the service should be located close to One-Stop Centres.

Who Should be the Providers of FCS Services, what Skills and Resources should they have to Ensure Quality Service?

Analysing the list of skills, provided by workshop participants, required for all role-players²⁸⁶ in the rendering of FC Services, it becomes immediately apparent that there are some skills (or a knowledge base) that are required of all such role-players.

First and foremost is the need for all role-players to have an understanding of sexual violence and its implications for

both the victim and perpetrator. In respect of the former, role-players should understand the impact of sexual violence particularly on children and why, for instance, a child victim would recant. In respect of the latter, role-players should understand how perpetrators operate. For SAPS employees in particular, this requires a mind shift, from a law and order approach to a victim-centred approach.

The second set of skills that all role-players are required to have are those inter-personal skills required for successful counselling and interviewing functions. Being good listeners and good communicators are crucial skills for all. Moreover, all role-players should be able to exercise these skills at the level of the child victim. This latter skill means that all role-players should have an understanding of a child's different stages of development.

A last skill common to all role-players is that of being diligent about the necessary paperwork that goes with their particular role. Good administrative and record-keeping skills are essential to keeping a case alive. In addition, a thorough statement from complainant and witnesses taken by SAPS employees, a thorough medical report from the Health Department, and comprehensive victim impact statements and reports from social workers and psychologists all contribute to a successful prosecution. Basic to all of this is good writing skills.

Table 2.1 itemises the more particular skills required of the different role-players in the FCS environment.

What Personal Qualities should FCS Service Providers have to Ensure the Provision of a High-Quality Service?

Workshop participants at the nine provincial workshops recommended that FCS service providers should, in addition to the skills enumerated in Table 2.1, have the following personal qualities to ensure the provision of quality service.

All persons involved in the FCS process, across all disciplines and sectors, should have the following personal qualities:

- ▶ Child-friendly
- ▶ Commitment
- ▶ Confidence
- ▶ Dedicated
- ▶ Empathetic
- ▶ Gender sensitive
- ▶ Genuineness
- ▶ Honest
- ▶ Non-judgemental attitude
- ▶ Objective
- ▶ Passionate about job
- ▶ Patience
- ▶ Respect confidentiality
- ▶ Respect for languages and culture
- ▶ Sensitivity

²⁸⁶ See Table 2.1, column 1 for a breakdown of all the role-players in the FCS environment.

- ▶ Thoroughness
- ▶ Treat people with dignity and respect
- ▶ Victim-friendly
- ▶ Willing to work with children.

All social workers and psychologists should have the following additional personal qualities:

- ▶ Able to handle a crisis
- ▶ Approachable
- ▶ Emotionally stable
- ▶ Mature
- ▶ Must be able to gain trust
- ▶ Prepared to build relationships
- ▶ Provide moral support.

All SAPS staff must be committed to the provision of a 24- hour service

Detectives must, additionally be:

- ▶ Mature
- ▶ Able to gain trust
- ▶ Prepared to build relationships.

Medical staff should be gentle.

Magistrates should have good moral values.

Volunteers should be reliable.

Work Still to be Done to Ensure a High-Quality FCS Service

To ensure quality of service in the FCS environment workshop participants noted that much work was still to be done. In addition to the above, the following issues would also require urgent attention:

- ▶ On-going training is needed for all persons in the FCS environment.
- ▶ The required resources should be standardised across provinces.
- ▶ The aim should be uniformity of service across the country.
- ▶ The aim should be a 24-hour service available at One-stop Centres. This would ensure that cases that are reported over the weekend are not delayed. However, this would require a great commitment towards providing human and material resources to the FCS environment. An interim arrangement could be an after-hours roster system for social workers.
- ▶ There was an urgent need to address gender and language imbalances in the FCS services.
- ▶ Research is needed to look into the high withdrawal rate of FCS cases and to make recommendations in this regard.
- ▶ There is an urgent need for inter-sectoral cooperation and coordination. Cooperation is currently dependent

on personalities and relationships. Better coordination could be facilitated by defining the roles and functions of all FCS service providers, dissemination and the uniform adoption thereof, and regular meetings (possibly quarterly) of inter-sectoral fora to manage and streamline coordination.

MONITORING FCS SERVICES

Workshop participants were asked to provide information about what aspects of FCS services should be monitored, what indicators could be used, how these should be monitored and who should monitor these.

Participants provided a diverse range of recommendations pertaining to the full gamut of FCS services. These can be grouped into the following 17 categories:

- ▶ Case Loads
- ▶ Staffing levels
- ▶ Resource audits
- ▶ Training levels and provision
- ▶ Skills
- ▶ Accessibility of services
- ▶ Hot spots and high-risk times
- ▶ Mandate compliance
- ▶ Meeting first intake requirements
- ▶ Time to complete cases
- ▶ Medical/Forensic service audits
- ▶ Case outcomes
- ▶ Justice Dept. audit
- ▶ Inter-sector collaboration
- ▶ Victim satisfaction levels
- ▶ Prevention services
- ▶ The wellness of service providers.

Appendix 2 provides tables for each of these 17 categories. Each itemises the indicators for monitoring, how to access the required information, and whose role it ought to be to monitor the items.

Additional points that emerged from the workshops on the aspect of monitoring were as follows. Firstly, it was stated that monitoring and evaluation, as far as possible, should be conducted by an external role-player. To date NGOs and CPFs have not played a meaningful enough role in monitoring SAPS service delivery. A suggestion for a ‘quality assurance team’, consisting of a multi-disciplinary team that meets regularly, was put forward by participants of Mpumalanga and KwaZulu-Natal.

Secondly, prior research into best practice models, protocols and codes of conduct to assess professionalism should be looked into to inform monitoring mechanisms.

AN UPDATE ON THE WESTERN CAPE – FCS RESTRUCTURING IN 2008

As was noted at the beginning of this report, the Western Cape was different from the other provinces in that substantial restructuring did not take place in 2006, but some changes had taken place in 2004. Late in 2008 it became apparent that changes would indeed take place in this province. These proposed changes are summarised below.

On 20 November 2008, the SAPS Provincial Commissioner in the Western Cape called a meeting with stakeholders from civil society, the National Prosecuting Authority and Health sector to discuss the plans for FCS services in the province.

He stated that the service in the province was to be brought into line with the current national trend towards increasing access to services at local level. However, he indicated his commitment to maintaining the quality of FCS services in a number of ways. The stated arrangements were as follows:

- ▶ The 200 FCS detectives in the province would be allocated singularly or in small groups to the 148 stations in the 25 clusters in the province.
- ▶ These officials will be dedicated to those areas only, working closely with and being responsive to the specific needs and circumstances of the particular station in so far as these relate to the FCS mandate. The FCS detective/s would be directly managed by the detective commander of that station.
- ▶ In an effort to maintain specialist expertise and management to guide FCS investigations, the detectives, although allocated to specific stations, will be commanded under the same roof in 'units' and will be deployed from these units to undertake the investigations at the station level. These Units will be commanded by specialist Unit Commanders.
- ▶ In order to ensure that the expertise of the specialist Unit Commanders is taken into account by detective commanders at the station level who directly manage the functions of the FCS detectives, the unit commander positions will have the senior ranking of superintendent.
- ▶ In geographical areas where such a unit is not feasible, the detective allocated to a station will have the rank of captain.

The Provincial Commissioner acknowledged the necessity of greater attention to training of FCS detectives in the coming phase.

DISCUSSION

The Impact of the Restructuring of FCS Services on Services

There is no doubt that the decision taken by the SAPS to restructure its FCS Units, and redeploy personnel to cluster

and station level had a profound effect on the nature of services delivered to victims, as well as on the personnel that provide these services.

Before the restructuring

What must firstly be assessed is the state of FCS and Child Protection Units before the restructuring. The following factors are evident from the findings.

The nature of the service

- ▶ The service consisted of a mix of FCS and Child Protection Units with varying approaches to addressing the full mandate of the Unit.
- ▶ FCS and Child Protection Units served relatively small, primarily urban, sections of the country, although some rural areas also received services. The Units that covered rural and semi-rural areas tended to serve vast geographical areas.
- ▶ The Units utilised different approaches of making services available to the population, depending on the geographical location of the complaint.
- ▶ These services focused only on cases within the FCS mandate. However, some Units provided services only in relation to parts of the mandate. The Child Protection Units did not address any issues relating to adults; while many of the FCS units did not provide some services in terms of the FCS mandate in relation to domestic violence. The obligations of the FCS Units in relation to adult victims, especially in relation to issues of domestic violence were understood and implemented differently across Units and provinces.
- ▶ FCS and Child Protection Units had developed relationships with other service providers in the geographical area being serviced. In some cases, the Units delivered services in the context of one-stop centres while in others, coordination, communication and referral networks had been established. A relatively highly evolved service based on inter-sectoral cooperation with other government departments.
- ▶ The nature of the FCS service was becoming more sophisticated. This was noted in terms of the introduction of forensic social workers in some provinces (Western Cape, etc.)

Personnel and training

- ▶ FCS officers were specifically selected for the job. Screening and psychometric testing was reported in four provinces (Eastern Cape, Northern Cape, North West Province, Western Cape).
- ▶ Officers responsible for the investigation of cases had received detective training, as well as specialised FCS training. The training was noted to have been improved around the time of the restructuring. New FCS officers underwent specialised training (although it was unclear across all the provinces whether this was prior to the placement at the

Unit, or after). It was also reported that the training was being offered to larger numbers of staff every year. Some provinces also reported that new officers had to undergo a period of shadowing of experienced officers after joining a Unit.

- ▶ Officers were managed and supervised by detectives with often significant experience in these investigation of cases with the FCS mandate.
- ▶ Officers working in these Units actively applied to work in the Units, making career path decisions to specialise in this area of investigations. Officers could plan career paths within the specialised Unit.
- ▶ There was a generally high level of commitment to the job, notwithstanding high levels of job stress and some resource constraints.

Resources

- ▶ Some provinces seemed to be vastly more resourced than others in terms of number of personnel, as well the nature of personnel available. The Western Cape stands out in this regard.
- ▶ Units had dedicated resources, although these were deemed in some provinces to be inadequate. These included: office premises that were separate from the SAPS stations, vehicles, appropriate rooms for the interviewing of victims, communications infrastructure (i.e. telephones, mobile phones, Internet connectivity, computers, administrative staff).
- ▶ FCS Units were allocated budgets which were managed in terms of the needs and priorities of the Units. This included funds to support overtime work undertaken.

After the restructuring

After these services were restructured, the following is evident from the findings:

The nature of the service

- ▶ The service continues to consist of a mix across the country, again with great variations in the cases addressed in relation to the full mandate of the Unit.
- ▶ The geographical distribution of the service seems to have been extended into some new rural areas (e.g. in the Eastern Cape), however, in some cases, this seems to have been at the expense of some areas that were previously covered (e.g. De Aar in the Northern Cape, North West). The new cluster-level system has resulted in officers having to cover smaller geographical areas than previously (e.g. Eastern Cape, Gauteng, North West, Limpopo).
- ▶ Officers in some provinces (i.e. North West, Mpumalanga) reported no longer being dedicated to the investigation of cases in the FCS mandate, but also being required to investigate other cases.
- ▶ The inter-sectoral relationships required for the delivery of services were reported to have been disrupted and in one case, to have collapsed due to the restructuring.

Personnel and training

- ▶ FCS officers brought into the system as part of the restructuring process did not seem to have undergone any specific selection or screening processes such as psychometric tests. Officers seem to have been deployed into FCS work without specifically choosing this area of work.
- ▶ New officers had not undergone specialist FCS training. Some may have received detective training. Some newly deployed staff did not have driver's licences (Northern Cape). The statement-taking skills of new officers were raised as a problem in KwaZulu-Natal and North West.
- ▶ FCS officers were managed and supervised by Heads of Detectives at station or cluster level (except in the Western Cape). Reportedly, few of these had an understanding of FCS cases.
- ▶ As a result of the restructuring, officers in four provinces (i.e. Eastern Cape, Gauteng, North West, Mpumalanga) reporting levels of uncertainty, demoralisation and apathy.

Resources

- ▶ Generally, resources allocated to the specialised Units were devolved to station and cluster level, although there are some exceptions (e.g. Western Cape, the Port Elizabeth area). Where vehicles have been allocated to stations or clusters this has resulted in these being integrated into the general vehicle pool and not dedicated to FCS cases (e.g. other parts of the Eastern Cape apart from Port Elizabeth, Northern Cape, Mpumalanga, KwaZulu-Natal). However, it was reported in the Eastern Cape that FCS vehicles could not be maintained under that station (e.g. Cradock in the Eastern Cape).
- ▶ Generally, FCS services in provinces no longer had dedicated separate facilities which could be utilised for working with victims. Where FCS services are now located in premises that used to house FCS Units, some special facilities are still available to them such as victim-friendly rooms (e.g. Eastern Cape). Generally services are delivered out of SAPS stations, rather than other facilities that may be more appropriate for victims.
- ▶ FCS officers were deployed to new areas where no specialised resources such as victim-friendly rooms were available (e.g. Northern Cape, Eastern Cape, Free State, Gauteng, North West).
- ▶ Some provinces reported that telephones and computers were no longer dedicated to FCS work (e.g. Mpumalanga, KwaZulu-Natal).
- ▶ FCS services no longer have their own identifiable budgets. Issues relating to funds for the service were reported to be unclear as even stations and clusters could not explain how services were to be funded, and how resourcing should be motivated for.

Generally, the findings reflect that the trajectory towards increased specialisation in FCS cases that was apparent before the restructuring has been reversed by the decision to

restructure. With the exception of the Western Cape, which has remained relatively untouched by the devolution of services to cluster level, there is no longer a national pattern that demonstrates dedicated officers, dedicated resources, and specialised management for cases within the FCS mandate.

In terms of the key issues of access to services for victims, and the quality of these services, it seems clear that efforts were made to increase access to services. The plan for re-deployment of personnel to different and new areas (which has not been made public) did result in some shifts that raise questions as to whether access to services has indeed been significantly increased by the restructuring. It was reported in the Northern Cape that the FCS service that was centrally located (together with its range of resources) in Kimberley, was moved to Galeshewe (a township adjacent to the city) where the officers do not have access to the same resources and facilities, as well as direct access to health services. In the De Aar area, it was noted that the FCS Unit previously serving 22 stations only served 8 of these stations after the restructuring without any discernable plan in place to address the needs of the remaining stations. Little more can be said on this matter without further more detailed information.

On the issue of the quality of services, several issues assessed by the study may be useful in offering clues as to the quality of services delivered. The first set of these are the training and skills of personnel, the supervision of personnel, and the morale of personnel. The widespread reporting of the use of untrained and inexperienced personnel (some without basic skills to take statements, as well as without driver's licences) indicates significant cause for concern in a field that is dedicated to working with some of South Africa's most vulnerable citizens. The decision to place such personnel in the field, is of significant consequence in an environment where one of the primary considerations is reducing the risks of secondary trauma to victims. Not only does it indicate a lack of understanding of the needs of victims but also a disregard for the substantial trauma that may already have been experienced by this group.

Together with this, the findings also indicate the placement of staff without appropriate supervision from experienced managers as well as a restructuring process that had a serious impact on the motivation and morale of the officers that were already in the field. The findings also indicated reduced levels of access to resources for the performance of investigative duties; the weakening of services to cases that were already in the system when the restructuring took place; and the weakening of inter-sectoral collaboration. With all these taken together, the picture is bleak in relation to providing a high-quality service.

The current situation reflects very strongly the fears noted by civil society commentators who questioned the wisdom of the devolution of FCS services. Many of the predictions made by civil society organisations in 2006 and 2007 in relation to the restructuring seem to have been inordinately insightful.

These included that:

- ▶ Specially trained FCS detectives would be utilised for the investigation of other cases when they were deployed to station level and would no longer be dedicated to the investigation of cases within the FCS mandate.²⁸⁷
- ▶ Victims would be exposed to secondary trauma due to their handling by personnel who did not have appropriate training or experience.²⁸⁸
- ▶ The new managers of FCS detectives at station level would be unequipped to provide specialised management and direction to their staff.²⁸⁹
- ▶ The SAPS had not consulted with civil society on the proposed changes and did not completely grasp the implications of the changes, specifically in relation to their impact on victims.²⁹⁰

The Decision to Restructure FCS Services

The SAPS restructuring of its FCS units needs to be understood within the context of the broader set of decisions made the SAPS in 2006 in relation to the restructuring of its architecture and services. This was described by the SAPS as having internal and external dimensions, with the internal focus being on:

- ▶ The alignment of the four levels of policing into the three levels stated in the Constitution, i.e. national, provincial and local
- ▶ Phasing out 'superfluous' organisational levels (i.e. the 'area' level)
- ▶ Determining the appropriate levels for the execution of police functions.²⁹¹

According to the SAPS, apart from the need for alignment to the Constitution, this was motivated by the identification of other factors that impede optimal police functioning such as that senior and experienced personnel, as well as specialised skills, were concentrated mainly at national, provincial and areas levels, that Station Commissioners were disempowered in relation to operational and support decisions, that there was inefficient communication due to the number of levels, and that there was ineffective allocation and utilisation of human and physical resources.²⁹²

The internal process of restructuring described above

287 Susan Kreston, Professor of Law and Research Fellow, University of the Free State. Quoted in: 'Child abuse expert says SA not on track', D Caelters, *The Cape Argus*, 30 January 2007.

288 Shahieda Omar, the Teddy Bear Clinic for Abused Children and Miranda Friedman, Women and Men against Child Abuse. Quoted in: 'Abuse Reporting will Drop - NGOs', B Enoch, Independent Online, 26 September 2006.

289 Samantha Waterhouse, Advocacy Manager, RAPCAN. Quoted in: 'Child abuse expert says SA not on track', D Caelters, *The Cape Argus*, 30 January 2007.

290 SAPS Briefing to Civil Society Organisations, 31 May 2006.

291 Swart, H. The 2006 Restructuring of the South African Police Service. In: Omar, B. 2007. Policing in South Africa in 2007: Key Issues and Developments. Institute for Security Studies.

292 Swart, H. The 2006 Restructuring of the South African Police Service. In: Omar, B. 2007. Policing in South Africa in 2007: Key Issues and Developments. Institute for Security Studies.

sought to, according to the SAPS, eliminate duplication, improve service delivery, improve command and control, improve 'interaction, communication and participation', and achieve faster responses to changing circumstances and community needs.²⁹³

This was accompanied by an external strategy which sought to achieve the following results:

- ▶ Increased community participation (through sector policing)
- ▶ Increased trust in the police, to encourage crime reporting
- ▶ Improved partnership policing (as with Business Against Crime)
- ▶ Encouraging communities to become involved in policing (as reservists)
- ▶ Improved police accessibility (through establishing more police stations).²⁹⁴

While the SAPS intentions relating to the elimination of the area level were articulated quite clearly, what is less clear is how each of the units and functions that were located at this level were analysed and decisions made on how to relocate them to ensure optimal functioning. Other specialised units affected by the proposed restructuring were the Serious and Violent Crimes Unit (SVC), and the Area Crime Combating Units (ACCUs), which, coupled with the FCS units, represented a wide range of different forms of policing services.

Certainly, in terms of the ultimate effects of the restructuring demonstrated by the findings of this study, the SAPS decision to devolve FCS services to cluster level did not seem to anticipate the wide range of outcomes that have significantly compromised the quality of services, as well as the range of gains that have been made in relation to these services in the past 15 years. This specific decision represented a turning point that would create a clear disjuncture between SAPS policy and its implementation.

As is reflected by the findings of this study, the situation before the restructuring showed clear efforts to give priority to crimes against women and children through specialised investigative services, dedicated resources to these services, and specialised management of these services. While this situation was by no means close to creating universal access to a high-quality service, there were clear signs that services were indeed on a trajectory towards this. These signs included: careful selection of officers; improved training; increased sophistication of the service (e.g. with the addition of forensic social workers), and increased levels of collaboration across departments and agencies. The position after the restructuring shows that the priority crimes within the FCS mandate can, in practice, no longer receive specialised

attention, resources or management. Oddly enough, in South Africa where the gap between policy and implementation has become all too much a painful reality, the SAPS has effectively taken itself off a path of effective implementation of policy, onto one that has little hope of achieving its policy objectives.

One further comment is necessary in relation to the decision of the SAPS to restructure this service. One of the objections raised by civil society organisations was that the SAPS had not consulted with them in relation to these plans.²⁹⁵ This view was echoed in the series of workshops undertaken for this study, by both civil society organisations as well as other government agencies, such as the National Prosecuting Authority. The responses by the SAPS to these sorts of concerns were almost characteristically disdainful. Divisional Commissioner Manoko Nchwe (Career Management) told civil society organisations in May 2006 that the Police Commissioner had no obligation to consult with anyone in relation to internal police matters.²⁹⁶

The Process of Restructuring by the SAPS

The process undertaken by the SAPS for the restructuring was noted in all the workshops to have been significantly flawed on a number of levels, the first of which was at the level of communications. While the Head Office of the SAPS may claim to have undertaken various communications both internally and externally, the overall result was, as demonstrated by the findings, confusion and uncertainty on the part of its own staff, as well as the general public and non-governmental service-providers. FCS officers at the workshops reported that the failure of communications resulted in uncertainty relating to job security, concerns that they would be redeployed to areas that were away from their families, demoralisation, and additional stress from this lack of information. Similar issues were reported by officers in the Area Crime Combating Units (ACCUs) which were also restructured, indicating a general failure of SAPS internal communications relating to the restructuring.²⁹⁷ In relation to both Units, officers reported that their direct managers were equally uninformed. Even up to September 2008, the SAPS continued to seek to manage the problems relating to the failure of its original communications. A Press Statement released on 4 September sought to assure SAPS staff and the public that officers would not lose their jobs.²⁹⁸

Generally, while the SAPS seem to have been able to communicate its rationale for the restructuring, it failed to provide clear statements both internally and externally in relation to how this would be done. This absence of clarity persisted even in terms the provincial and local level

293 Swart, H. The 2006 Restructuring of the South African Police Service. In: Omar, B. 2007. Policing in South Africa in 2007: Key Issues and Developments. Institute for Security Studies.

294 Swart, H. The 2006 Restructuring of the South African Police Service. In: Omar, B. 2007. Policing in South Africa in 2007: Key Issues and Developments. Institute for Security Studies.

295 SAPS Briefing to Civil Society Organisations, Pretoria, 31 May 2006.

296 SAPS Briefing to Civil Society Organisations, Pretoria, 31 May 2006.

297 Omar, B. SAPS' Costly Restructuring: A Review of Public Order Policing Capacity, Monograph No 138, October 2007.

298 De Beer, S. Restructuring of the South African Police Service, Press Statement, 4 September 2008. (www.gov.za)

interpretation of the restructuring directives from the SAPS, resulting in a range of different arrangements in the provinces and at cluster level.

Workshop participants specifically pointed to the seeming lack of discernable plans in for the restructuring. Evidence offered in the workshops for this was the fact that the restructuring seemed to have been done without prior audits of populations, distances and caseloads; without training personnel before they were deployed; without adequate regard to how FCS services would be managed at station and cluster-level; without clear thinking with regard to sustaining dedicated resources to FCS services, etc. the greater concern to workshop participants was the lack of planning relating to cases already in the system, where a range of problems emerged such as redeployed detectives being requested to take dockets with them to their new assignments, sometimes resulting in the cases having to be withdrawn.

The issue of planning was also a significant point of contention at a briefing undertaken by the SAPS to civil society organisations hosted by the Institute for Security Studies in May 2006. Civil society organisations made a specific request for SAPS to provide documentation that would explain the plan for the restructuring at cluster and station level. While such a document was promised by SAPS representatives Nchwe and Bokaba, it was never forthcoming. The view from civil society organisations was that, either there was no plan, or that such a plan was not to be shared with the public.

South Africa in the Context of International Trends

Organisation and management of services

As may be seen from the analysis of trends in middle-income countries comparable to South Africa, as well as poorer countries, all ten of the countries reviewed indicated a trend towards district-level delivery of services, coupled with strong national leadership. The review particularly noted that the choice to deliver services at a district rather than local level was motivated by the fact that these countries, like South Africa, had fewer resources than rich countries and fewer professionals available at each local level to manage and deliver services. Essentially the choice was being made to have fewer, but better run services at a district level rather than many poorly run services at station level. This formulation for services appeared to have the advantages of: providing sufficient trained personnel from other departments at district level to offer victims a full range of services; a centralised location where services could be provided and to which clients could be directed and that victims could be assigned to dedicated officers who can guide them through the criminal justice system and various services.

The trend in comparable countries also indicated that these district-level services were coupled with strong leadership at a national level. In 9 out of 10 of the poor and middle-

income countries reviewed there was an integrated national plan with significant national oversight and management. As noted earlier, national oversight accounted for successes in both poor countries like Nepal and middle-income ones like Chile and Malaysia. Much evidence emerged from this review to indicate that a national department for issues such as those relating to women and children (or at the very least some form of national oversight) offered many advantages over decentralised delivery in terms of improved service delivery within poor and middle-income countries. The review also noted the significant achievements of women placed in national leadership positions in related to women and children.

Prior to the restructuring, FCS services in South Africa seemed to be on par with both the international trends noted above. The area level situation of services offered many of the same advantages noted above, and the management of the FCS as a national function, with its own budget, resources and training mirrored to some extent the national leadership noted in other countries. The position at the current time is significantly different, with moves away from both trends.

A third significant trend noted in the review was the move towards police services staffed and managed entirely by women. The review noted the remarkable and rapid proliferation of such services among poor and middle-income countries (including Nepal, India, Philippines, Pakistan, Peru, Colombia, Nicaragua, Brazil, Ecuador, Uruguay, Liberia and elsewhere). Such services have been found to be effective for two main reasons: most women are reluctant to report to male officers in male-dominated stations who are not always sympathetic to the problem; and women (generally) seem to make better and more sensitive investigators of crimes against women and children. The review above also presented some empirical evidence for this.

This is not a trend that has reached South Africa. Workshop participants in several provinces (note names) did, however, raise the issue of the gender of FCS officers often noted that there were not enough women FCS officers. While it cannot generally be assumed that women would necessarily be more sensitive to the needs of victims nor that they would be better investigators of FCS type cases, it is worth noting that the all-women police stations in other countries resulted in large increases in reporting, indicating that they may to some extent mitigate the stresses related to the reporting process for some victims. This becomes even more important given the range of concerns raised relating to weaknesses in SAPS stations with regard to the first point of contact with the victim.

While the SAPS made the policy choice to devolve FCS officers to station level to increase their accessibility to the public, far more creative and interesting approaches to this have been implemented in other comparable countries. The Rapid Response and Mobile Units discussed in the literature review presented above illustrate an approach

that has sought not only to make services more accessible, but these also intend to offer a faster service, as well as one brings an inter-sectoral range of role-players (i.e. Argentina's experimental Mobile Domestic Violence Units bring police officers, a psychologist and a social worker). In this specific case, speed is seen as an essential element for ensuring that the domestic violence complainant continues with the case. In Tamil Nadu in India, mobile units are utilised for a different reason that is applicable to South Africa: to reach the rural areas with professional teams. Here again, a team of service-providers is dispatched (including a police officer, an advocate, a doctor, a social worker and a revenue department official).

Training

International trends in poor and middle-income countries in relation to the training of police staff that deal with cases such as those in the FCS mandate are instructive of what may be achieved in South Africa, notwithstanding the shortage of skills especially in relation to the detective service.

Some middle-income countries (e.g. Malaysia) have set high standards with regard to the qualifications required to investigate cases within the FCS mandate. The 110 women police investigators assigned to Malaysia's Sexual Abuse and Child Investigations Division are required to have tertiary degrees in a relevant subject prior to police training.

In addition, training is not considered to be a once-off event but continuous training opportunities are offered to police officers covering various aspects of investigations, the law and appropriate treatment of victims. In wealthier countries this is achieved with specialised units that do nothing else but provide this in accordance with research that determines exactly what these training needs are. This seems like good practice but among the ten poor and middle-income countries, this was found to occur in this way only in Chile.

Ongoing training for non-specialised police officers, in relation to the specific crime issues dealt with by specialised detectives was also found to be a trend in poor and middle-income countries. This makes obvious sense given that such officers are likely to be the complainant's first point of contact with the justice system. Therefore, the training in the initial handling and treatment of victims and referrals is critical. The review found that this appears to be good practice if this information is integrated into the regular coursework and training materials at police training institutions; is part of the Codes of Conduct; and included in job descriptions. Interestingly, every one of the above practices was found in Mozambique, one of the poorest countries reviewed. Brazil does the same and ensures that all the officers that take initial complaints are specially trained to avoid secondary victimisation. Those that do not respond appropriately can be at risk of losing their jobs.

The strengthening of the skills of non-specialised police at station level did seem to be one of the objectives of the restructuring. The stated long-term objective of the plan was:

...to ultimately ensure that every member at every police station has the necessary skills and expertise to professionally assist and advise child victims and their guardians and to expedite the investigative procedures.²⁹⁹

However, the expectation that new officers at station and cluster level would train other police officers seems quite unrealistic given the levels of skill of newly deployed officers.

Inter-sectoral collaboration

Complaints relating to sexual offences, domestic violence and child protection require a substantial level of cooperation between agencies primarily due to the multiple and sometimes competing objectives relating to them. Most centrally these objectives relate to the successful investigation and conclusion of formal criminal or civil proceedings; and the provision of a range of support services to the people involved (e.g. counselling, medical care, shelter services, temporary placement, therapeutic services, court preparation and others). Complaints require the involvement of a wide range of government agencies, most often the National Prosecuting Authority, the Department of Health, the Department of Justice, and the Department of Social Development, as well as the non-governmental service-providers.

In South Africa, where a vast number of these critical support services are primarily delivered by non-governmental organisations (sometimes with the support of government), with limited reach and resources, such cooperation is even more important. These relationships are complicated by the fact that while government departments are mandated to undertake specific functions in relation to these complaints, their non-performance may not be easy for other government departments to challenge given that no department has any specific authority over the others. It is also true that non-governmental organisations, which often offer some of the most central services relating to victim support, are often small, with limited geographical reach, often defining their service mandate in terms of available funding and personnel. Overall in South Africa, many of the services provided by non-governmental organisations cannot be predicted due to:

- ▶ Funding for services through government comes primarily through the provincial Departments of Social Development. These services are not funded uniformly across the country because Social Development is a concurrent function in terms of the Constitution, and provinces may make their own decisions concerning the relative importance of these services in relation to other social services.
- ▶ National policy processes such as the Victim Empowerment Programme and the Service Charter for Victims of Crime establish broad policy statements with regard to the rights of victims, as well as the nature of services to be delivered to victims by the different government departments and agencies. However, they make no national

299 SAPS Press Release, 22 May 2006. www.saps.gov.za

plans for how services are to reach all South Africans that need them. This includes the fact that there are no national efforts to procure the necessary services from NGOs and others based on analysis of where the need is.

- ▶ In terms of the quality of services, while there are different sets of minimum standards (which have attached to both the VEP and the Victim's Charter, there is no national plan to monitor compliance with these standards.

The comparative review confirmed from findings from across the world that inter-sectoral service-delivery is a fundamental requirement for success. The evidence showed that reducing the levels of sexual offences, domestic violence and child victimisation depends on having multiple systems in place for both prevention and investigations and these, in turn, must be part of a much larger interdepartmental and multi-disciplinary effort. Richer countries appeared far ahead in implementing such measures, such that Britain recently recorded a 7% drop in these types of crimes.

In both poor and middle-income countries, trends were identified toward the creation of interdisciplinary teams that include detectives, psychologists, doctors, prosecutors, NGOs and other health practitioners (e.g. Malaysia, Mauritius, Argentina, Chile). An important trend toward achieving this cooperation, at least in urban areas, is the one-stop victim care centre in main police stations and hospitals (e.g. Malaysia or Mauritius). Argentinean and Chilean detectives offer this in another manner: in terms of teams with forensics, psychologists, and investigators that go to the victim. In these cases, the state has taken full responsibility for responding to these offences and puts together the interdisciplinary teams to serve the victim and apprehend the perpetrator.

Another important related trend is that towards the development of integrated, national plans for the delivery of services that are monitored and evaluated, and that seek to concentrate the resources of various departments on the problem (e.g. Chile, Mauritius and Malaysia). While in none of the countries could it be said that these are fully functional, Chile represents an important case in point. It has scientifically developed programmes under constant monitoring and evaluation by an entire government unit tasked with this responsibility from national level. In a situation of limited resources, this is a valuable strategy and integrated national planning is probably a success factor in *any* country where human and material resources are in short supply.

All three of the countries mentioned above illustrate a third important trend in relation to collaboration and that is a devoted department at national level which creates and drives the process of collaboration. The main reason for Chile's positioning to deliver a range of integrated and intersectoral services is the creation of JENAFAM (Jefatura Nacional de Delitos contra la Familia) a dedicated national department which focuses on driving delivery. There is evidence from the review that since this took place (in 2004), the rate at which violence against women was rising has

slowed. Malaysia and Mauritius are two other countries with national departments devoted to coordinating programmes.

A last trend noted in relation to collaboration is that protocols are needed to clarify roles and facilitate monitoring and evaluation. Achieving coordination between departments and stakeholders means that each partner must understand their role. Protocols or signed agreements between stakeholders are standard procedure in wealthy countries. In 2006, Mauritius established a 'Protocol of Assistance to Victims of Sexual Assault'. The roles and responsibilities of all stakeholders are defined in this and then performance is monitored and evaluated by the national Ministry of Women's Rights, Family Welfare and Child Development to ensure compliance and improved delivery.

South Africa's efforts to develop protocols have centred on the Victim Empowerment Programme which has been led by the Department of Social Development. This programme has been in existence, in various versions for more than ten years and has yet to have any official status as government policy. While the VEP has sought to define the roles and responsibilities of the different government departments and other service-providers it has suffered from a severe lack of leadership and continues to have little leverage over other government departments. In 2008, the government announced a programme of support to the Victim Empowerment Programme from the European Union, supported by the United Nations Office on Drugs and Crime. This arrangement has offered the most promising opportunity for the kick-start of this programme. However, it still remains to be seen how each of the Departments, including the SAPS, will carry out responsibilities in terms of protocols.

Success rates

The measurement of success in terms of work undertaken by police detective services is fraught with complexity, and shows that this issue alone warrants substantial attention in South Africa.

In reviewing international trends as how to measure success it seems as if policing services such as those under review cannot rationally be measured in relation to the overall prevalence of the crime, especially if such services do not actively seek to reduce the social risk factors associated with crime problems. In no example reviewed was there clear evidence that these specialised services actually do prevent crime. Even the best combination of services in Chile: accessible courts, researchers, national campaigns, trained judiciary, shelters, bringing offenders to book, and reintegrating victims of violence into their families did not impact greatly on crime rates. In fact, evidence from many of the examples reviewed, suggests that the success of such services is more logically measured in terms of criteria such as increased reporting rates, crime-solving rates and victim satisfaction. If these are utilised as criteria for success, then many of the services reviewed are working quite well.

In South Africa, one of the criterion for measuring the

success of police services is the reduction of reported 'contact crimes' including crimes against women and children, by 7–10% per year. This approach seems counterintuitive, especially in relation to crimes that are typically under-reported for a range of reasons often relating to the problems to do with negative expectations of how the criminal justice system (including the police) will respond.³⁰⁰ In addition, this approach to measurement may create perverse incentives to discourage reporting to these crime categories.

Resources available in support of policing

It is obvious that poorer and middle-income countries have fewer resources (including specialised skills) than richer countries and that this significantly influences the nature of and form of the services that are provided. What seems to matter more in these contexts is (1) the extent to which these services are given political priority, (2) how carefully and smartly their delivery is planned. The examples of Nepal or Liberia, as extremely resource-limited settings, are instructive on issues of political will and the strategic planning of services, notwithstanding the fact that both settings benefited substantially from international support.

Furthermore on the issue of resourcing, in many of the settings reviewed, the specialised services assessed had their own budgets and resources (e.g. Brazil, Argentina, India, Chile). The one exception to this trend was Namibia, where it was clear that the Women and Child Units struggle to obtain (and even compete to obtain) resources like vehicles that are needed to sustain routine daily activities.

There are critical lessons for South Africa reflected in above trends. Where there has been political will to establish effective services for victims, this has been reflected in the provision of dedicated resources for such services; and the provision of continued drive, support and oversight from the national level. In South Africa's case, some of these trends were noted before the restructuring. The devolution of services to local levels has reversed this effect, leading to one central question: is there the political will in South Africa to meet the needs of victims?

The role of civil society organisations

The literature review indicates that civil society organisations have often played a significant role in advocating for appropriate services for victims, as well as creating the conditions under which these services could be delivered effectively (e.g. Brazil, Malaysia, Liberia).

In South Africa, FCS Units and Child Protection Units recognised the value of service-delivery partnerships with civil society organisations and the findings indicate that there were fairly complex arrangements made by Units to cooperate and collaborate. At a national level, however, there seems to be little recognition by the SAPS of such organisations as important stakeholders in issues relating to victims.

Then SAPS National Commissioner, Jackie Selebi, was reported as describing dissent to the restructuring plan from civil society as 'ill-advised and uninformed'.³⁰¹

Unlike government departments such as the National Prosecuting Authority and the Department of Justice and Constitutional Development, which have made efforts to communicate with civil society organisations relating to plans and progress, the SAPS makes few efforts to recognise the role currently played by civil society organisations in relation to victims in South Africa. Little effort has been expended in the proactive creation of structures to consult and cooperate with organised civil society in this field of service.

Current services vs. 'high-quality services'

At all the workshops participants were asked to define what they understood to be a high quality service in relation to the FCS mandate. Participants were asked to comment on: what cases should be handled, who should handle the cases, what training and resources service providers should have, where services should be located. The purpose of this exercise was to obtain an understanding of what service providers define as the kind of services that the country should be striving for. Participants also provided information relating to how the quality of these services could be monitored by setting out a range of indicators.

The nature of the FCS service

The workshop participants were clear that FCS services needed to be specialised, and address only a specific range of cases (see discussion below). Participants were also of the view that these services need to adopt an inter-sectoral orientation, and there was a great deal of support for the idea of One-Stop Centres where all the required services could be provided to victims. In terms of the location of services, it was recognised that it would be unlikely that such a service could be provided at all stations, but they should at least be located at every SAPS cluster. Participants agreed that FCS services needed to be delivered by specially trained and resourced SAPS staff, in an inter-sectoral service that was also specially trained and resourced (see Table 2.1).

There was convergence between the views of participants and the SAPS restructuring strategy only in terms of where services should be located, as there was a shared view that services should be located as close to communities as possible. The workshop participants recognised that while station-level services would be ideal, these would not be practical for a range of reasons. There were significant differences between what currently exists, and definitions of high-quality services in relation to the specialisation of FCS officers, specific resources and specialised training. Workshop participants were clear that the above three issues were central to a high-quality service.

300 Waterhouse, S. 2008. Child Victims in the Criminal Justice System. Forthcoming. Open Society Foundation for South Africa.

301 Redeployment critics ill-advised, says Selebi. Independent Online. 22 May 2006.

Participants were not asked to comment on the role of management in relation to the delivery of a high-quality service. However, it was clear from the long list of indicators provided, as well as the discussion on the monitoring of services that the SAPS is believed to be responsible for the key monitoring functions.

The Cases that FCS Services should be Handling

It is clear from the findings that there was general agreement amongst participants that the mandate of FCS services in relation to children, as well as sexual offences against adults, should remain as it is currently defined. There was, however, some debate as to whether FCS services should be responsible for the investigation of domestic violence issues, as required by the Domestic Violence Act. The central issue under discussion was whether the limited FCS service (in terms of officers and resources) could successfully provide services in relation to the wide responsibilities placed by the Act on the police, especially due to the high volume of complaints received.

The review of the current situation in the country in relation to the fulfilment of the FCS mandate indicated that there were significant differences between the provinces in relation to interpretation of the FCS mandate in relation to domestic violence cases. There were great variations across the country in this regard. Without more detailed information relating to numbers involved, it seems clear from the information provided in the workshops that the SAPS needs to review its management of domestic violence cases in order to effectively deliver on its obligations relating to the Domestic Violence Act. In terms of the review of international experiences and responses, this is an issue that other countries have sought to develop specific strategies to grapple with, given concerns relating to underreporting, improving response times, and ensuring an appropriately specialised service. Very creative approaches have emerged internationally, including the Rapid Response and Mobile Domestic Violence Units.

CONCLUSIONS AND RECOMMENDATIONS

The following **conclusions** emerge from this study.

- ▶ The current system of delivery of FCS services represents a reversal in historical developments in South Africa aimed at offering a skilled, specialised service to complainants in FCS-related cases that are premised on dedicated resourcing, specialised training and specialised management.
- ▶ The current structure for the provision of FCS services is unable to offer continued specialisation of officers nationally, dedicated resourcing, and specialised management and oversight of FCS cases.

- ▶ The policy objective to prioritise crimes against women and children cannot be realised under the current structure.
- ▶ The current situation represents an absence of political will in government and in SAPS in relation to the prioritisation of victims, especially in terms to crimes against women and children. Services have been devolved to local level without an articulated national strategy, specialised management and oversight, and dedicated budgets and resources.
- ▶ The decision by the SAPS to devolve all area level services to cluster and station level did not take adequate account of the nature of FCS services, and the impact of the restructuring on the quality of services.
- ▶ The process of restructuring in 2006 (which affected all the provinces except for the Western Cape) resulted in confusion and uncertainty both internally in the SAPS and externally among civil society organisations, other government service-providers and the general public due to significant weaknesses in SAPS communications. This effect was felt also in the Western Cape where no restructuring took place during that period.
- ▶ The restructuring resulted in the placement of FCS staff in service-delivery positions that: (1) were not suitably trained, (2) were not suitably experienced, (3) did not undergo special screening or selection, (4) had not specifically elected to work on FCS cases, (5) did not have some of the basic requirements to undertake the job, for example, driver’s licences.
- ▶ The process of restructuring, which included the re-deployment of existing FCS personnel, resulted in demoralisation and demotivation on the part of FCS officers.
- ▶ The restructuring in 2006 resulted in a weakening of the quality of services provided nationally, accompanied by some increase in access to services.
- ▶ South Africa is out of step with comparable poor and middle-income countries in the world in effectively shifting away from specialised services.
- ▶ South Africa’s government is out of step with developments in some comparable countries which have demonstrated significant political leadership in relation to responding to crimes against women and children.
- ▶ South Africa is out of step with comparable countries in relation to the creativity applied to addressing some of the crime problems within the FCS mandate.

- ▶ Inter-sectoral collaboration with stakeholders required to deliver essential services to victims has suffered due to the restructuring.
- ▶ Victims have been impacted negatively through the process of the restructuring and are currently exposed to services of questionable quality in many areas.
- ▶ The current approach to measuring the effectiveness of services needs to be reviewed, especially in terms of reducing reporting.
- ▶ The SAPS should develop and publicise a national plan for the delivery of this service, which adopts a short to medium-term orientation. This is also necessary for the restoration of public confidence in the SAPS's commitment to serving victims. This plan should set out a strategy for the achievement of high-quality services at an increasingly broader scale. The requirements of such a plan and planning process are as follows:
 - ▷ The plan should reflect the SAPS prioritisation of the FCS mandate and demonstrate commitment to its implementation through budgets and oversight measures.
 - ▷ There should be processes at provincial level for consultation with civil society organisations and other government partners *prior* to the plan being finalised. One of the objectives of this exercise should also be to establish systems for ongoing communication and cooperation with civil society organisations, including their involvement in monitoring FCS services.
 - ▷ Consultations with the public should be held in all the provinces.
 - ▷ The plan should map the current demand for services based on crime reporting nationally, as well as the current situation in relation to specialised personnel, budgets and resourcing for such services.
 - ▷ The plan should demonstrate a strategy and budget to incrementally increase access to the service nationally.
 - ▷ This should be accompanied by plans for the selection and training of personnel, and budgets for this.
 - ▷ The plan should include standards in terms of resourcing to all FCS services and an incremental strategy for the provision of these resources (with accompanying budgets).
 - ▷ A structure and strategy for the monitoring of the quality of services nationally should be included. This should include the utilisation of indicators that are established through consultation with the public and civil society organisations.
 - ▷ The plan must include a process for regular (at least annual) reporting to the public on the achievement of objectives.

The following **recommendations** are made:

- ▶ The government as a whole needs to provide political and strategic leadership in relation to the imperative to respond more effectively to victimisation. In an environment with high levels of victimisation, and where specific policy exists to prioritise certain crime categories, the ongoing critical review of strategies to implement policy is essential.
- ▶ The SAPS needs to recognise that its restructuring plans were flawed, specifically in relation to their impact on FCS services and accept that remedial actions will need to be taken. This is necessary to restore public confidence in the SAPS, and particularly in its commitment to prioritising crimes against women and children.
- ▶ The SAPS needs to undertake a revision of the current structure for the delivery of FCS services. The focus should be on ensuring a continued increase in access to services, with a concomitant focus in ensuring the quality of these services. Such a revision needs to consider how the following may be achieved:
 - ▷ The retention of the cluster-level location of services (which clearly has had some benefits)
 - ▷ Addressing the range of quality problems that currently exist at station and cluster level in relation to personnel
 - ▷ A return to dedicated budgets and resourcing to FCS services
 - ▷ A return to the specialisation of FCS personnel (including selection and training)
 - ▷ Specialised management by personnel experienced in FCS cases.

In all likelihood, the requirements suggested above will demand a shift away from station and cluster-level management to a more centralised management of the service, notwithstanding the location of the service at a more local level.

APPENDIX 1

THE CRIME CATEGORIES ADDRESSED BY THE FCS MANDATE

Family Violence

- ▶ Assault with the intention to do grievous bodily harm
- ▶ Attempted murder

Child Protection

- ▶ Rape
- ▶ Incest
- ▶ Indecent Assault
- ▶ Attempted Murder
- ▶ Assault GBH
- ▶ Common Assault (under certain circumstances)
- ▶ Kidnapping
- ▶ Abduction
- ▶ Crimes re abuse and exploitation in Family Violence Act
- ▶ Sexual Exploitation under the Sexual Offences Act
- ▶ Child Care Act
- ▶ Films and Publications Act re Child Pornography

Sexual Offences (>18)

- ▶ Rape
- ▶ Incest
- ▶ Indecent Assault
- ▶ Crimes of sexual exploitation under the Sexual Offences Act
- ▶ Crimes re sexual offences under the Prevention of Family Violence Act
- ▶ Crimes of sexual offences under the Domestic Violence Act

APPENDIX 2

TABLES RELATED TO PART 2 OF THIS REPORT

1. TABLES RELATING TO NATIONAL FINDINGS

Table 1.1: FCS Units prior to restructuring in 2006 in each of the 9 provinces

| Province | Locality of Units | Staffing complement | Skills of Staff | Resources |
|---------------------------------------|---|---|---|---|
| Western Cape Province (prior to 2004) | Two Child Protection units, both located in Cape Town. | Two CP units consisting of 30 SAPS officials. | Highly skilled detectives at the 2 CP units. | Two Child Protection Units with 15 vehicles at their disposal. |
| Eastern Cape Province | Victim reports crime to nearest SAPS station who call in specialised staff from nearest FCS Unit. | Information not available. | The FCS Units were staffed with personnel that ranked from Constables to Superintendent. Detectives had received specialised training. Applicants to the Unit were only appointed after psychometric testing. Workshop participants noted that, although some FCS Unit staff had 'average' skills, most were committed and motivated since they had actively opted for a career path in FCS investigations. | FCS Units had dedicated vehicles at their disposal, but the type of vehicle was mostly not able to cope with some of the rugged terrain to which detectives were called out to. |
| Northern Cape | There was one FCS unit located in Kimberley that was easily accessible to all in area by public transport. Another FCS Unit in De Aar served 22 stations. | Information not available. | The FCS Unit Commander was a superintendent, the section commander a captain. Officers who conducted investigations ranged between inspector and constable. 90% of FCS detectives were trained and had around 2 years of experience. All had a national SAPS diploma, a driver's licence and had been placed on 6 months probation within the unit. Applicants also underwent psychometric testing before joining the unit. They were mostly committed and passionate about their work. | The FCS Unit in Kimberley had a victim room, playroom and a one-way glass identity parade room. However, there was a shortage of computers, telephones and only 1 cell-phone among the 8 members. |
| Free State | The Child Protection Units and Rape investigation 'unit' merged into the FCS Unit. There was one FCS unit located in Bloemfontein and one in Qwa-Qwa. Both were in offices separate from the police station. In some SAPS areas a specialised officer waited around to assist victims of child abuse, but specialised services for domestic violence cases were only available in Bloemfontein. | Not enough staff to service all victims referred. | The Child Protection Unit consisted of sergeants and inspectors who attended to rape cases. Child victim cases were attended to by captains and inspectors. Reconfigured into the FCS Unit, staff ranked from Inspectors to lesser ranks, but all members operated in plainclothes. All inspectors were trained and specialised. Workshop participants were divided on the levels of skills of FCS members, as well as their levels of commitment and sensitivity toward victims. | With the exception of vehicles, detectives had all the resources required to deliver services to victims. Although there was a victim-friendly facility, there were no separate rooms for interrogations. |

| Province | Locality of Units | Staffing complement | Skills of Staff | Resources |
|---------------------|--|--|---|---|
| Gauteng | There were 9 FCS Units in the province, 2 of which were located in the East Rand and 4 on the West Rand. The phone number of each Unit was well known and the person who manned that number knew who was on standby and how to reach them quickly. All Units were centrally located in the areas served, accessible by public transport, and close to the communities they served. | Information not available. | All staff members of FCS Units, that spanned all ranks, were trained and skilled, particularly the detectives. Most were experienced officers who specialised in child victims. Officers were regularly debriefed. Although it varied according to personality, most officers were committed, and empathetic. All FCS staff members were competent to take statements. | There were approximately 23 vehicles for the combined FCS Units in the province, which meant that some Units, such as Springs, experienced a constant shortage of vehicles. Some Units were short of the basics required to render a service (actual items were not specified). |
| North West Province | The Child Protection Units serviced 21 stations. Most Units serviced a geographical area of about 150 km in radius. | Information not available. | Members were skilled to investigate child-related matters, since access to training was good. When the mandate was extended, CPU members did not get additional training in the new crimes covered by the mandate. Applicants to the Units were screened for suitability. | Not enough vehicles. |
| Mpumalanga | There were 4 specialised Units: Nelspruit, Kwamhlanga, Middleburg and Secunda, with 10 SAPS members servicing 26 stations and 17 courts. | Information not available. | The staff of the units consisted of all ranks, all of whom would take on cases. However, serious cases were allocated to the skilled senior detectives. All Units fell under a specialised Unit Commander. Since all 10 members of the Unit chose the Unit as their career path, all were passionate, committed, motivated, empathetic, patient and understanding. | Units' phone numbers were well known, thus making it easy to get hold of a specialised detective. Each Unit had a budget, and there were sufficient vehicles, phones and computers for each Unit. |
| Limpopo | 4 Child Protection Units were reconfigured into 7 FCS Units. | Workshop participants were divided as to whether these Units had enough personnel. | Officials ranged from constables to inspectors, but constables needed 2 years of experience to be admitted to a Unit. Detectives were well skilled. Attitudes and commitment were said to be good. | |
| KwaZulu-Natal | There was one CP Unit in a central office in the following areas: Joint unit for Pietermaritzburg and Durban, Pinetown and Bergville. These were a mixture of accessible and inaccessible, depending on the locality. Units that serviced KwaMashu, Umlazi, Amanzimtoti were not centralised and thus inaccessible. In Durban South the location of Units improved. Units in Sherwood Mayville, Phoenix, Umlazi and Pietermaritzburg were easily accessible. The accessibility of Ladysmith was not good, but cooperation was good with SAPS stations. | The Pietermaritzburg Unit had sufficient staff. | Some participants stated that CP Units were staffed only by Captains, Inspectors, Majors and Detectives. Others averred that there was a much wider range of officers, for instance in Bergville. All, however, had received special training, understood abuse syndrome and knew how to question the accused in such cases. Skills within CP Units were considered to be moderate to high. Unit staff were considered to be patient and committed. | Although CP Units had computers and phones, none had victim-friendly facilities and at most Units there was a shortage of vehicles and faxes. |

Table 1.2: Family and Child Services post-restructuring in 2006 in each of the 9 provinces

| Province | Locality of Units | Staffing complement | Skills of Staff | Resources |
|------------------------------|---|---|---|---|
| Western Province (post 2004) | Two CP units, both located in Cape Town, were reconfigured into 13 FCS units across the Western Cape; 6 units remaining in Cape Town and a further six located in Paarl, Vredendal, Worcester, Caledon, Mossel Bay, George and Oudtshoorn. | Two CP units consisting of 30 SAPS officials were reconfigured into FCS Units and the staff complement was extended to 220 SAPS officials and 27 forensic social workers. | Most skilled detectives came from the 2 CP units, with newer members less skilled. Of concern is that after-hours services are rendered mostly by Constables. New applicants were screened through psychometric testing. However, in 2004 the training options for detectives increased and the appointment of 27 forensic social workers broadened the available skills pool of these units. | Two CP units with 15 vehicles at their disposal. Once reconfigured into FCS Units, these Units had 110 vehicles at their disposal. Each unit had at least 3 computers, one camera and comfort packs. However, there was a shortage of cellphones, Internet facilities (web access for web-based pornography cases and email access) and business cards for detectives and social workers. |
| Eastern Province | Victims still report to nearest SAPS station, who calls in nearest specialised detective, if none is available at that station. Example: Port Elizabeth FCS Unit staff deployed to 3 station clusters. Some stations get specialised staff and resources, others not. Radius for urban areas decrease. In some rural areas now no skilled service. | Cradock now the Accounting Station for 13 stations. | (1) Transfer of skilled staff to rural and under-served areas, but still more detectives in urban areas than in rural areas. Not enough skilled detectives in urban areas now. Transfers of skilled staff often result in language problems for both staff and victims. Transfers result in resignations of skilled staff. Remaining skilled staff demoralised, uncertain of career path, struggle to cope with new conditions and managers. (2) Since not enough skilled staff to be placed at every SAPS station, untrained and inexperienced constables take on investigations. No screening for new applicants No uniformity of skills at all stations. Some areas have benefited others have been even more disadvantaged. | Vehicles: PE unchanged; FCS Unit vehicles, e.g. in Cradock, now fall into general pool resulting in lack of vehicles, particularly unmarked vehicles. Previous FCS vehicles can't be maintained on station system. Victim-friendly facilities: This resource still only available in stations where there was an FCS Unit. The exception is Cradock. Other resources: Deployment happened with provisioning of resources to some stations. Station and Detective Heads reluctant to provide resources for FCS. |
| Northern Cape | The reconfiguration resulted in the relocation of the FC Service from Kimberley to the SAPS Galeshewa station, which the workshop participants deemed less accessible to the public since it required taking two taxis. In De Aar the relocation of FC staff benefited only 8 of the 22 stations, leaving the balance without FC skills. | | Staff, ranking from Constable and up, at station level are placed in FC Services without option. New staff to FCS are placed there without experience, often straight from field training, without a drivers licence, and without first being put through an interview and psychometric testing. The result is that staff are negative, demotivated and without the necessary passion for this type of service. Many have poor statement-taking skills and limited language skills. Prior to reconstruction victims were provided with special skilled detectives, post reconstruction victims are dealt with by unskilled constables. Provincial Detective Heads have limited understanding for the needs of FCS providers at station level. | The relocation of the FCS Unit in Kimberley to SAPS Galeshewa was not accompanied by a transfer of resources to the new building. In SAPS Galeshewa victims have to wait among uniformed officers; there is no victim-friendly facility with projector and television; a shortage of computers, printers (8 computers and 4 printers among 31 staff), land lines (5 lines for 31 staff members) and cellphones (5 cellphones). There is also a shortage of vehicles to transport victims and for FCS project work. This also applies to Uppington. Restructuring meant a loss of autonomy over resources and FCS needs are not viewed as urgent by the general detective pool. Landline and fax users require pin codes, which are not distributed readily. |

| Province | Locality of Units | Staffing complement | Skills of Staff | Resources |
|---------------------|--|--|---|--|
| Free State | The Bloemfontein FCS Unit redeployed to 2 less central stations. As before, victims make statements at their nearest police station and an FCS staff member now at a cluster station is called out. These staff now are harder to locate, have a bigger caseload due to the expanded mandate, meaning that the restructuring has made the service even less accessible than in the past. | | FCS services provided by all ranks at station level, irrespective of skill and experience, resulting in a very uneven distribution of quality of service. There is now no selection criteria for higher ranking officers which deal with FCS cases. Workshop participants were divided on the levels of skills of current FCS members, as well as their levels of commitment and sensitivity toward victims. | As in the past, with the exception of vehicles, detectives have all the resources required to deliver services to victims. Domestic Violence matters create a shortage of vehicles at station level. There has been some improvement in the provision of victim-friendly facilities, however, the majority of stations are still not victim-friendly. A further complaint is that, where there are in fact victim-friendly facilities, victims are (1) still nonetheless being interviewed in waiting rooms as victim interviewing facilities are being abused by staff who use them to watch TV, or (2) multiple victim interviews are being simultaneously conducted in the same space with no respect for privacy and confidentiality. |
| Gauteng | The restructuring has resulted in victims being sent from pillar to post, except where skilled staff and resources remained in the same locality. Some stations turn victims away saying they have no FC Service. In turn skilled deployed officers have a smaller area and thus less work and pressure. FC Services in Soweto not as centrally located as before. Unclear whether FCS skills available in Springs now. | Not enough skilled staff available to be deployed to all stations. | All staff, irrespective of rank and training provide FCS services. Staff are allocated to conduct FCS work at station level, irrespective of their interest or expertise. The result is apathy and demoralisation. FCS roleplayers complain that they do not know who are the correct or relevant SAPS FCS providers anymore. Network support structures have fallen apart and new SAPS staff are not networked in the field. | Transport resources vary from station to station, but there is a general shortage of vehicles. All stations are expected to provide FCS, but not all stations have victim-friendly services. Equipment for FCS is only available in stations that were previously an FCS Unit. Each cluster now has to motivate for resources. |
| North West Province | Of the 21 stations serviced by the CP Units only 6 stations received deployed officers. FCS is thus not available to 15 stations any longer. However, at the 6 FCS stations, deployed officers now only have to service a 60 km radius resulting in improved reaction time, better feedback to complainants and improved after-hours service. There is also a roster system of detectives on standby. On the other hand FCS detectives also have to do general case work too, whereas at the 15 stations general detectives are only responsible for their own cases. | High staff turnover in a previously stable pool of detectives. Still an inadequate number of detectives. | New staff allocated to FCS neither screened nor trained, with a lack of capacity particularly in rural areas. DV and sexual offences where an adult is the victim should be done by skilled FCS staff, but since there is a shortage this work is done by general detectives who are not skilled to provide quality service. There is a need for training in statement-taking so that statements stand up in court. Station Commissioners and Detective Commissioners need to be trained to understand needs of FCS staff. Most workshop participants said that FCS staff were demoralised, overworked, detectives received less compensation and felt uncertain of career path and promotion prospects. There was still no performance management. A few workshop participants stated that FCS staff were still committed subsequent to the restructuring. | Still not enough vehicles generally, but now some stations are better off than others. FCS needs must compete with other station demands and needs. Restructuring has made no change to the number of victim-friendly facilities: these are still only available at 2 stations, and Klerksdorp is the only station with one-way glass ID rooms. Budget allocation at station level for FCS services was deficient. The workshop participants were divided about the sufficiency of physical resources. However, the budget mechanism was a problem: there is no clarity/uniformity about/ of accessing resources for FCS work either from station level, accounting station detective budget or from the provincial detective budget. |

| Province | Locality of Units | Staffing complement | Skills of Staff | Resources |
|---------------|--|---|--|---|
| Mpumalanga | 4 CP Units with 10 SAPS members deployed to 15 clusters. | Contradictory information given at workshop as to whether each of the 15 accounting stations received skilled deployed FCS staff (but basic maths says that 10 members could not be deployed equitably to 15 clusters). | At some stations, both specialised and general, untrained detectives at all stations investigate both FC cases and general cases. Therefore no-one can specialise anymore. Deployed staff demoralised by restructuring. Loss of specialised managers results in lack of support and guidance for FC matters. FCS is a priority at policy level but not at station level. | Vehicles now for general use at station level resulting in a shortage of unmarked vehicles. Bigger stations with bigger caseloads are well resourced, but smaller station have greater difficulty accessing vehicles. Victim support rooms in some (Nelspruit and Kabokweni) but not at other stations (KaNyamazane and Barberton). Not enough stations with one-way glass rooms. FCS staff no longer have phones and computers dedicated to FC work. Station resources must now cater for general and specialised work. A positive is that office equipment has been upgraded. |
| Limpopo | 7 FCS Units still in the same locality, but one Unit is now worse off for resources than before. The cluster system, however, reduces accessibility radius to 100 km per cluster. | Unit/clusters needs 5 to 8 members for optimal performance, but some clusters are understaffed and thus cannot fulfil the FCS mandate. Vacant posts mean lack of services in some areas. | FCS investigations are conducted by specialised staff at stations, but specialised detectives have a larger workload than before. Only rapid access to training, for both new and skilled (in wider mandate issues) will provide an improvement. Some redeployed staff are demoralised. Not enough interest in FC work by general SAPS members, hence reluctance to become skilled. Station Commissioners have limited understanding about FCS environment. Wider networking with stakeholders is required. | Some FCS clusters lost vehicles to stations. Some Accounting Stations have deployed resources away from FCS to general detective work at that station. |
| KwaZulu-Natal | FCFS Durban North to Umlazi cluster; Durban South FCS deployed to 23 stations. FCS Pinetown deployed among a cluster, but Wentworth not. Pietermaritzburg FCS Unit divided into two clusters, but one of the clusters has come out worse than the other. There is a cluster for Kwa Mashu. | FCS staff of Durban North deployed to Umlazi cluster: Sector Commander and 7 investigating officers. Pinetown has a cluster, but not Wentworth. Thus some clusters have FCS deployed detectives at station-level, but others not. Rest of clusters only have general detectives and unspecialised SAPS members. Staff shortages result in lack of uniformity from cluster to cluster. | Skills levels have remained the same, with a shortage of specialised staff in some areas. Restructuring resulted in loss of expertise. New staff lack training and professionalism. Statement-taking skills poor. Untrained new members do not understand the complexities of FC cases and take a too rigid approach. Student Constables and Constables lack sensitivity and patience in dealing with child victims due to lack of training. Some specialised staff, e.g. at Umlazi, however, still need training in new aspects of expanded mandate. However, although not enough specialised staff, conviction rates appear good. Female officers that have been deployed now have a lower profile in their new places of work. Lack of specialised staff in some areas means no mentoring of new staff. Station Commissioners at new FCS clusters do not give same focus to FC Services and some don't understand ethos at all, e.g. Station Commissioner who insisted that all staff wear uniforms on Fridays. | FCS vehicles used by all detectives for all cases, resulting in a shortage of vehicles, particularly unmarked cars. Also, in Umlazi the only transport available can be a bakkie, which is unsuitable for transporting victims. Victims that come to stations outside of the geographic area of the cluster cannot be transported. There are Trauma Centres and counsellors at Umlazi, Amanzimtoti, and Newlands. There are, however, separate debriefing rooms. In Umlazi 13 officers share one office. In Wentworth there is 1 telephone for 13 detectives. Durban FCS staff were left without phones and Internet after restructuring. |

Table 1.3: Cases investigated by FCS Units prior to 2006 where the victim is under age 18 years

| Province | Rape | Incest | Indecent Assault | Attempted Murder | Assault | Assault GBH | Kidnapping | Abduction | Prevention of Family Violence Act, 1993 | DV Act, 1998 | Sexual Offence Act, 1957 | Child Care Act, 1983 | Child Pornography |
|---------------------|-----------------------|---------------------|------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---|---------------------|--------------------------|----------------------|---------------------|
| Western Cape | ✓ But not adolescents | | | | | | | | | | ✓ But not adolescents | ✓ | |
| Eastern Cape | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Northern Cape | ✓ | | | ✓ | ✓ | ✓ | | | | | ✓ | ✓ | |
| Free State | ✓ | | | ✓ | ✓ under age 12 only | ✓ under age 12 only | | ✓ | | | ✓ | ✓ | |
| Gauteng | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| North West Province | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Mpumalanga | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Limpopo | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| KZN | ✓ | ✓ but not in Durban | ✓ | ✓ but not in Durban | ✓ but not in Durban | ✓ | ✓ but not in Durban | ✓ but not in Durban |

Cases investigated by FCS Units prior to 2006 where the victim is above 18 years of age and the perpetrator is a family member

| Province | Attempted Murder | Assault GBH | Rape | Incest | Indecent Assault | Sexual Offences Act, 1957 | Prevention of Family Violence Act, 1993 | Domestic Violence Act, 1998 |
|---------------------|-------------------|-------------------|---------------------|--------|------------------|---------------------------|---|-----------------------------|
| Western Cape | | | | | | | | |
| Eastern Cape | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Northern Cape | | ✓ | ✓ | | ✓ | | | ✓ |
| Free State | ✓ only some Units | ✓ only some Units | | | ✓ | ✓ | | ✓ |
| Gauteng | | ✓ | ✓ | | ✓ | ✓ | | ✓ |
| North West Province | | | | | | | | |
| Mpumalanga | | | | | | | | |
| Limpopo | | | | | | | | |
| KZN | | | ✓ only Durban North | | | ✓ only Durban North | | ✓ but not in Durban |

Table 1.4: Family and Child Services Crimes investigated post 2006 restructuring where the victim is under age 18 years

| Province | Rape | Incest | Indecent Assault | Attempted Murder | Assault | Assault GBH | Kidnapping | Abduction | Prevention of Family Violence Act, 1993 | DV Act, 1998 | Sexual Offence Act, 1957 | Child Care Act, 1983 | Child Pornography |
|--|-------------------------------|--------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|---|--------------------|--------------------------|------------------------|--------------------|
| Western Cape (post 2004 restructuring) | ✓ But not some adolescents | | | | | | | | | | ✓ But not adolescents | ✓ | |
| Eastern Cape | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Northern Cape ² | ✓ | | | ✓ | ✓ | ✓ | | | | | ✓ | ✓ | |
| Free State | ✓ | | | ✓ | ✓ under 18 yrs | ✓ under 18 yrs | | ✓ | | | ✓ | ✓ | |
| Gauteng | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ but not all stations | |
| North West Province* | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Mpumalanga | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Limpopo | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| KZN | ✓ | ✓ including Durban | ✓ | | ✓ including Durban | ✓ including Durban | ✓ including Durban | ✓ including Durban | ✓ including Durban |

Family and Child Services Crimes investigated post 2006 restructuring where the victim is above 18 years of age and the perpetrator is a family member

| Province | Attempted Murder | Assault GBH | Rape | Incest | Indecent Assault | Sexual Offences Act, 1957 | Prevention of Family Violence Act, 1993 | Domestic Violence Act, 1998 |
|----------------------------------|------------------|-------------|--------------------|--------|------------------|---------------------------|---|-----------------------------|
| Western Cape | | | | | | | | |
| Eastern Cape | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Northern Cape* | | ✓ | ✓ | | | ✓ | | ✓ ** |
| Free State | ✓ | ✓ | ✓ | | ✓ | ✓ | | ✓ |
| Gauteng | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| North West Province [#] | | | | | | | | |
| Mpumalanga | | | | | | | | |
| Limpopo ^{##} | | ✓ | | | ✓ | ✓ | ✓ | ✓ |
| KZN | | | ✓ including Durban | | | ✓ including Durban | | ✓ |

* Also Malignous Damage to Property, Theft, Trespassing, Criminal Injuria and Maintenance defaulting. ** Except in De Aar, all DV and Maintenance matters are assigned to FCS skilled staff instead of being apportioned among all staff, resulting in a huge caseload for these members. But in De Aar the lack of skilled investigators has resulted in no service to adult victims. Moreover, some stations are unsure what their mandate encompasses. # SPS members, their Commanders and the public are unsure of the mandate of the FCS. ## Some clusters still only provide services to child victims, due to vacancies of specialised staff.

Table 1.5: Strengths and Weaknesses of FCS Units prior to restructuring in 2006

| Province | Strengths | Weaknesses |
|---------------------|---|---|
| Eastern Cape | <ul style="list-style-type: none"> ▷ Workshop participants noted that the FCS Units in the province were like a 'family', who worked co-operatively with each other and ensured that the available material resources were equitably available to all in the Unit. ▷ FCS Unit staff were well known to service providers, who could thus ensure that victims received accessible and specialised services from the staff of these Units. | <p>However, from the victims' perspectives, service delivery was slow due to the huge distances that the few FCS Unit members had to travel to get to the victim. A shortage of dedicated vehicles could slow delivery even further. From the SAPS point of view, there were few trained staff, resulting in huge caseloads for detectives emanating from large geographic areas, which required long hours of travelling. This often exacerbated the vehicle shortage.</p> |
| Northern Cape | <ul style="list-style-type: none"> ▷ Everyone in the community knew where the Unit was located. ▷ The contact numbers of investigators were known to all in the field. ▷ There was good communication between investigators and social workers. ▷ Unit members were prompt in responding to victims. ▷ It was easy to keep track of cases and easy to keep victims informed of the progress of their cases. | <p>None stated.</p> |
| Free State | <p>The standby list of detectives and their contact details were available to service organisations.</p> | <ul style="list-style-type: none"> ▷ The shortage of vehicles meant that there was not enough transport for victims. ▷ There was not a separate room for interrogations. ▷ There was no trained support staff at the victim centre. |
| Gauteng | <ul style="list-style-type: none"> ▷ There was a consistency in the use of Investigating Officers ▷ The Units were well networked with other role-players and had the necessary contact details of these role-players. | <ul style="list-style-type: none"> ▷ Not close for everybody. ▷ The victim made a statement at their nearest police station, who then called out the officer on duty at the nearest FCS Unit. |
| North West Province | <p>None stated.</p> | <p>Not enough detectives. The standby details of available detectives were not easily available</p> |
| Mpumalanga | <p>None stated.</p> | <ul style="list-style-type: none"> ▷ Units were staffed mostly by male detectives. ▷ The victim first reported the matter to their nearest SAPS station, who then referred the matter to the nearest CP Unit. This meant that the service was less accessible to communities and detectives had to drive long distances to get to the victim. ▷ Detectives each had a huge case load. ▷ Dockets and files went missing. |
| Limpopo | <ul style="list-style-type: none"> ▷ The reconfiguration of the 4 CP Units into 7 FCS Units meant that each Unit serviced a smaller area, which made them more accessible. However, rural areas still remained unserved. | <ul style="list-style-type: none"> ▷ The area that each Unit serviced was vast, and the Greater Sekhukhune area and former Mpumalanga SAPS stations not serviced at all. ▷ The exact location of the 7 FCS Units was not generally well-known. |
| KwaZulu-Natal | <ul style="list-style-type: none"> ▷ Units had many more female staff dealing with child victims. ▷ CP Units were well known to all and victims knew where to go and how to get there. ▷ Units had the necessary expertise and thus the prosecution rate was better. ▷ Other role-players were easily able to engage FCS Units in skills improvement. ▷ Strong inter-sectoral relationships. ▷ Detectives always carried their dockets with them from area to area. | <ul style="list-style-type: none"> ▷ All Units had staff shortages resulting in high caseloads. ▷ However, there was a delay in the transfer of dockets from SAPS stations to the FCS Units. ▷ Follow-up of victims was not always good. |

Table 1.6: Strengths and Weaknesses of Family and Child Services post restructuring in 2006

| Province | Strengths | Weaknesses |
|---------------------|---|--|
| Eastern Cape | <ul style="list-style-type: none"> ▷ Deployment of skill to rural area beneficial ▷ More people to do FC work there-fore smaller caseloads. ▷ Radius decreases for most areas. ▷ Training has improved, no longer in-service training: six 4-week courses per year, 1 every 2 months. A second course for specialised officers now also available. | <ul style="list-style-type: none"> ▷ Deployment meant no continuity of services for traumatised victims. If skilled officer deployed or sick, unskilled officer takes their place. ▷ Deployment meant that dockets went with investigating officers instead of staying in the region/station. ▷ Reconfiguration has resulted in unfair distribution of human and material resources in relation to workload. A demand audit is necessary. |
| Northern Cape | None given at workshop. | <ul style="list-style-type: none"> ▷ Loss of both human and physical resources brought about by the restructuring. ▷ Ironically, rural areas were worst affected by the restructuring. ▷ Restructuring meant loss of autonomy over physical resources. Under a Unit system, staff were able to negotiate access to limited means of transport etc. among themselves. ▷ Redeployed trained staff, for example, in Colesburg, are unable to assist with training new staff since there is no autonomous budget for FCS and trained staff have no time to help with on-the-job training. ▷ The relocation of the Kimberley service to Galeshewa means that district surgeons based in Kimberley are now further away. |
| Free State | None given at workshop. | <ul style="list-style-type: none"> ▷ Victim-friendly facilities are abused. |
| Gauteng | <ul style="list-style-type: none"> ▷ Skilled deployed officers have a smaller area to service and thus less work and pressure. ▷ Social workers seem more available now. | <ul style="list-style-type: none"> ▷ In the past victims went to the Unit and found the service they needed. Now victims expect to find an FCS officer at the station, but are then sent to the next station in search of a specialized officer. ▷ Investigating Officers keep changing around in the area. ▷ Roleplayers are given the cellphone numbers of FCS providers, but the number is often no longer applicable. ▷ Some stations have resources but no skills, other stations have skills but no resources. ▷ Networks collapse and new staff are not networked. |
| North West Province | <ul style="list-style-type: none"> ▷ Restructuring has resulted in improved case load for detectives. ▷ Radius decreases resulting in improved reaction time, better feedback to victims, improved after-hours service. ▷ A roster system of standby detectives is established. ▷ Training is now better and more structured. ▷ The increase of forensic social workers from 1 to 6 is positive, although more are needed. | <ul style="list-style-type: none"> ▷ Access to resources and quality of service not equitable across the province yet. ▷ Lighter FCS caseloads for skilled staff have come at the cost of services to some stations. ▷ Expanded mandate increases caseload and decreases availability of resources. ▷ Model requiring member to work in isolation at station level rather than at unit level places unfair burden on FCS staff who have FCS cases and general cases. ▷ FCS (with expanded mandate) workload and skills pool audit should have been done in the province prior to restructuring. ▷ New improved training is harder to access. ▷ There is a need for social workers on 24-hour standby. |
| Mpumalanga | <ul style="list-style-type: none"> ▷ Restructuring lessens distances for all. ▷ Office equipment is upgraded. | <ul style="list-style-type: none"> ▷ Dockets changed hands from specialised to general detectives resulting in a decline of quality service to some victims. ▷ Dockets got lost, which resulted in drawn-out cases that were struck from the roll. ▷ Court preparation services have decreased in some areas. |

| Province | Strengths | Weaknesses |
|---------------|---|---|
| Limpopo | <p>Cluster level system works better since it lessens distance for both service provider and victim.</p> | <ul style="list-style-type: none"> ▷ Operation at cluster level (Unit level) better than at station level to provide specialised services. ▷ New staff not networked. ▷ No clarity or uniformity to budget mechanisms for accessing FCS resources from either station level, accounting station level or provincial detective budget. ▷ Cases from Accounting Stations get preference by order of the Station Commissioner of the Accounting Station. ▷ FCS members in a cluster have to attend many more station meetings which is very time consuming. |
| KwaZulu-Natal | <ul style="list-style-type: none"> ▷ At the Kwa Mashu cluster service delivery is now more prompt, but follow-up is poor. ▷ Conviction rates appear to have improved. | <ul style="list-style-type: none"> ▷ The public do not know where to go to access FC Services. ▷ Detectives moved around taking dockets with them. In rural areas dockets were closed when FCS detectives were deployed. ▷ In Umlazi station members do not contact the FCS detective if he is not at the station. ▷ Restructuring has resulted in variable services, for example, in some areas were the case of a child victim is withdrawn by the prosecutor, the child victim is left without first receiving therapy. ▷ Previously child victims were taken to special areas in the children's hospital for their medical examination. Now child victims have to queue at the general district surgeon's offices. |

2. TABLES RELATING TO DEFINING THE ELEMENTS OF A HIGH-QUALITY SERVICE

Table 2.1: Family and child service providers and the resources required to perform their functions

| Who should be a service provider? | Skills Required | Resources required to provide a service | Types of support given to service providers |
|---|---|---|--|
| South African Police Service | | | |
| All SAPS members as well as those involved in FCS cases | <ul style="list-style-type: none"> ▷ Know how to deal with a traumatised victim ▷ Sensitised to domestic violence issues ▷ Sensitised through training to Batho Pele principles ▷ Ability to complete a Form 4 ▷ Ability to empower and assist adults to obtain interdicts ▷ Knowledge of relevant legislation ▷ Knowledge of Victim’s Charter ▷ Ability to network and collaborate with NGOs | <ul style="list-style-type: none"> ▷ Transport ▷ Trauma Room | <ul style="list-style-type: none"> ▷ Trauma debriefing once a week. ▷ Continuous training |
| Specialised Detectives | <ul style="list-style-type: none"> ▷ Knowledge of appropriate languages in an area ▷ Knowledge of available resources ▷ Collaboration and consultation with NGOs ▷ Paralegal skills ▷ Understand bail issues ▷ Familiar with entire protocol ▷ Knowledge of relevant legislation ▷ Knowledge of Victim’s Charter ▷ Should undergo psychometric tests to ensure correct personal qualities ▷ Specialised FCS training, basic and advanced courses ▷ Detective training ▷ Investigating skills ▷ Know how to collect evidence ▷ Analytical/integration/strategic skills ▷ More female detectives | <ul style="list-style-type: none"> ▷ One-stop Centres ▷ Victim-friendly facilities (trauma rooms) separate from the police station ▷ Playroom for children ▷ Child-friendly interview rooms ▷ Comfort pack for ages 0–18 years ▷ Facilities for bathing ▷ Crime Kits ▷ Interpreters ▷ Administrative support ▷ Forensic social workers support ▷ Technical support ▷ Fingerprint unit ▷ Photographic assistance ▷ Sufficient FCS detective staff ▷ Office equipment ▷ Stationery ▷ Sufficient J88 forms ▷ Computers, email and internet access ▷ Database of service providers ▷ Easy access to social workers ▷ Access to forensic laboratory and DNA data ▷ Facilities for identification parades ▷ Maintained Vehicles, available 24 hrs ▷ Cellphones ▷ Cameras ▷ Budget for standby and overtime ▷ Danger allowance ▷ Market-related salaries | <ul style="list-style-type: none"> ▷ Management support ▷ Proper supervision ▷ Managers to monitor work load ▷ Promote team building and esteem building ▷ Performance management ▷ Professional support ▷ Incentives ▷ Commendations ▷ Confidential external evaluations ▷ Debriefing ▷ Access to counselling services ▷ Continuous training and in-service training ▷ Networking and information sharing through quarterly meetings |

| Who should be a service provider? | Skills Required | Resources required to provide a service | Types of support given to service providers |
|--------------------------------------|---|--|---|
| Forensic Social Workers | <ul style="list-style-type: none"> ▷ Debriefing skills ▷ Need to be qualified and registered ▷ Specialised training in forensic assessment ▷ Specialised FCS training ▷ Child pornography training ▷ Knowledge of relevant legislation ▷ Knowledge of Victim's Charter ▷ Trained in legal aspects of the process, and FCS processes ▷ Understanding of court process ▷ Ability to testify as an expert ▷ Assessment skills ▷ Court preparation skills ▷ Ability to provide psycho-social support to victims ▷ Assist other professionals ▷ Help find safe places for victims ▷ Available 24 hrs ▷ Specialised training (e.g. play therapy) ▷ Computer literacy ▷ Protocol training | <ul style="list-style-type: none"> ▷ Suitable rooms in which to work ▷ Sufficient staff with appropriate gender balance ▷ Vehicles ▷ Phones | <ul style="list-style-type: none"> ▷ Debriefing |
| Trauma Counsellors (Volunteers) | <ul style="list-style-type: none"> ▷ Negotiation skills ▷ Knowledge about resources | <ul style="list-style-type: none"> ▷ Private office accommodation ▷ Office equipment (appropriate for children as well) ▷ Interpreters ▷ Phones ▷ Vehicles ▷ Directory of services ▷ Sufficient volunteers ▷ Stipends to retain skilled volunteers | <ul style="list-style-type: none"> ▷ Debriefing |
| Administrative Staff | <ul style="list-style-type: none"> ▷ Skills for answering phones, taking messages ▷ Ability to deal with victims | <ul style="list-style-type: none"> ▷ Office accommodation ▷ Office equipment ▷ Stationery | |
| SAPS Support Services | <ul style="list-style-type: none"> ▷ Debriefing for FCS staff members (more regular sessions) | | |
| Department of Health | | | |
| Medical Officers and Forensic Nurses | <ul style="list-style-type: none"> ▷ Necessary medical qualifications ▷ Specialised training in abuse cases: able to collect forensic evidence, fill in J88 and Form 25 completely and correctly; have to be able to compile rape-kit ▷ Expert witness skills ▷ Well trained in terms of HIV/Aids medication | <ul style="list-style-type: none"> ▷ Places for victim examination – these need to be child-friendly and victim-friendly ▷ Examination rooms ▷ Medical equipment ▷ Sufficient numbers of trained and specialised staff | <ul style="list-style-type: none"> ▷ Debriefing ▷ Good management |

| Who should be a service provider? | Skills Required | Resources required to provide a service | Types of support given to service providers |
|---|---|---|--|
| National Prosecuting Authority | | | |
| Specialised Prosecutors | <ul style="list-style-type: none"> ▷ Negotiation skills ▷ Specialised knowledge of laws regarding FCS cases ▷ Two years experience or more ▷ Need to assist detectives from the beginning of the case ▷ Available 24 hours, 7 days a week | <ul style="list-style-type: none"> ▷ Specialised courts with required resources i.e. CCTV system, intermediaries. ▷ Access to Internet ▷ Court preparation services ▷ Transport | <ul style="list-style-type: none"> ▷ Debriefing ▷ Good management ▷ Networking and information sharing through quarterly meetings |
| Department of Justice | | | |
| Specialised Sexual Offence Courts Magistrates | <ul style="list-style-type: none"> ▷ Community awareness ▷ Legal qualifications ▷ Two years experience or more in sexual offences | <ul style="list-style-type: none"> ▷ Specialised courts ▷ Courts equipped with required resources, e.g. CCTV system | |
| Intermediaries at court | <ul style="list-style-type: none"> ▷ Communication skills | | |
| Department of Social Development | | | |
| Social Workers | <ul style="list-style-type: none"> ▷ See also SAPS Forensic Social Workers ▷ Must be available 24 hours ▷ Women empowerment skills ▷ Trauma management skills ▷ Parenting skills ▷ Budgeting skills ▷ Anger and stress management skills ▷ Legal placement ▷ Children: skills for placement in shelters ▷ Access to and knowledge of shelters and places of safety ▷ Referral to appropriate resources ▷ Networking | <ul style="list-style-type: none"> ▷ Victim-friendly and accessible centre that is fully furnished with resources for interviewing children ▷ Offices ▷ Computer, printer, photocopier, stationery and office equipment ▷ Landlines and cell-phones ▷ Vehicles ▷ Social auxiliary workers ▷ Market-related salaries ▷ Danger allowances ▷ Overtime pay | <ul style="list-style-type: none"> ▷ Support from management, stake-holders and community ▷ Ongoing supervision ▷ Continuous training and in-service training ▷ Counselling and debriefing ▷ Networking and information sharing through quarterly meetings ▷ Good management |
| Social Auxiliary Workers | <ul style="list-style-type: none"> ▷ Trauma management skills ▷ Conflict and anger management skills | | |
| Non-governmental Organisations | | | |
| Counsellors and Psychologists | <ul style="list-style-type: none"> ▷ Investigation and assessments ▷ Expert witness testimony skills ▷ Maintain tracking and monitoring systems ▷ Training and mentorship | <ul style="list-style-type: none"> ▷ Funds for specialised services ▷ Recognition and protection from government ▷ Human resources ▷ Office accommodation conducive to privacy ▷ Vehicles ▷ Phones and cell-phones ▷ Material support: victim packs, refreshments for victims ▷ Scarce skills allowance ▷ Promotion in field | <ul style="list-style-type: none"> ▷ Debriefing ▷ Mentorship |
| Corrections | | <ul style="list-style-type: none"> ▷ Rehabilitation Programmes | |

3. TABLES RELATING TO MONITORING OF SERVICE

Table 3.1: Monitoring case loads to allocate staff and resources

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|--|--|--|--|
| <ul style="list-style-type: none"> ▷ Number of cases reported and types of violations ▷ Case loads per detective | <ul style="list-style-type: none"> ▷ Statistics ▷ Set a limit of 30 cases per detective as national standard | <ul style="list-style-type: none"> ▷ Dockets analysis ▷ Case files ▷ Annual reports ▷ Polices stats ▷ Court stats ▷ Media reports ▷ Interviews where data does not exist ▷ Regular case review reports | <ul style="list-style-type: none"> ▷ SAPS |

Table 3.2: Monitoring staffing levels and unit/cluster capacity

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------------------|--|--|--|
| Staffing levels | | <ul style="list-style-type: none"> ▷ HR stats | <ul style="list-style-type: none"> ▷ SAPS |
| Unity/cluster capacity – no. of posts | | <ul style="list-style-type: none"> ▷ Interviews where data does not exist | <ul style="list-style-type: none"> ▷ SAPS |

Table 3.3: Monitoring resource availability

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|--------------------------------|--|---|--|
| Enough Resources | <ul style="list-style-type: none"> ▷ Sufficient resources to render quality service | <ul style="list-style-type: none"> ▷ Resources audit ▷ Community feedback ▷ FCS budget | <ul style="list-style-type: none"> ▷ Station Commissioner ▷ CPF ▷ Other FCS roleplayers ▷ SAPS logistics |
| Maintenance of resources audit | <ul style="list-style-type: none"> ▷ Resources in working condition | <ul style="list-style-type: none"> ▷ Log sheets ▷ FCS budget | <ul style="list-style-type: none"> ▷ SAPS |

Table 3.4: Monitoring training

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------|--|--|--|
| No. of staff trained | <ul style="list-style-type: none"> ▷ Compulsory training courses ▷ On-going training | <ul style="list-style-type: none"> ▷ Training stats ▷ Evaluation of learner outcomes | <ul style="list-style-type: none"> ▷ Station Commissioner ▷ CPFs |
| Quality service delivery | <ul style="list-style-type: none"> ▷ No complaints form roleplayers and community | <ul style="list-style-type: none"> ▷ Surveys | <ul style="list-style-type: none"> ▷ Station Commissioner |

Table 3.5: Monitoring skills

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|-------------------------------|--|---|---|
| Interviewing skills | <ul style="list-style-type: none"> ▷ Child-friendly ▷ Age appropriate ▷ Sensitivity to child's responses ▷ Gender sensitivity | <ul style="list-style-type: none"> ▷ Evaluation forms and appraisals ▷ Supervision ▷ Victim complaints | <ul style="list-style-type: none"> ▷ Supervisors ▷ Communities ▷ Victims |
| Communication skills | <ul style="list-style-type: none"> ▷ Requesting reports from social workers ▷ Notifying victim of court date, progress of case and bail issues | <ul style="list-style-type: none"> ▷ Evaluation from social workers/ SAPS appraisals ▷ Feedback from court personnel ▷ Feedback from victims | |
| Investigating skills | <ul style="list-style-type: none"> ▷ Number of arrests ▷ Number of convictions | <ul style="list-style-type: none"> ▷ SAPS stats ▷ Court stats ▷ Performance chart | <ul style="list-style-type: none"> ▷ Station Commissioner ▷ CPFs |
| Statement-taking skills | <ul style="list-style-type: none"> ▷ Speed ▷ Efficiency and completeness of statement ▷ Language proficiency ▷ State of the victim | <ul style="list-style-type: none"> ▷ Victim/caregiver complaints ▷ SAPS skills audit ▷ SAPS appraisals ▷ 24-hourly inspection of statements | <ul style="list-style-type: none"> ▷ SAPS supervisors ▷ Communities ▷ NGOs |
| Skills & expertise audit | <ul style="list-style-type: none"> ▷ Skills and expertise plan for each Unit/Cluster ▷ Enough skilled staff | <ul style="list-style-type: none"> ▷ Skills and expertise plan for each Unit/Cluster ▷ Performance appraisals ▷ Number of staff trained | |
| Public Service Act compliance | <ul style="list-style-type: none"> ▷ Good telephone ethics | <ul style="list-style-type: none"> ▷ Provide training ▷ Customer complaints ▷ Number of incoming calls ▷ SAPS appraisals | |

Table 3.6: Monitoring accessibility of services

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------------|--|---|---|
| Type of services in a community | <ul style="list-style-type: none"> ▷ All services are available to the community | <ul style="list-style-type: none"> ▷ Audit/survey | <ul style="list-style-type: none"> ▷ CPF ▷ Community ▷ Roleplayers |
| Availability of staff | <ul style="list-style-type: none"> ▷ Sufficient and prompt staffing | <ul style="list-style-type: none"> ▷ Databases ▷ The amount of standby work undertaken by FCS | |
| Compare policies | <ul style="list-style-type: none"> ▷ Policies | <ul style="list-style-type: none"> ▷ Policies of each service provider | |
| Availability of contact details | <ul style="list-style-type: none"> ▷ Contact details of all service providers are available across sector | <ul style="list-style-type: none"> ▷ Audit/survey | |

Table 3.7: Monitoring hot spots and high-risk times

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------|---|--|---------------------|
| Hot spots | <ul style="list-style-type: none"> ▷ Number of cases per area | <ul style="list-style-type: none"> ▷ Feedback from police, NGOs, Community ▷ Databases | |
| High-risk times | <ul style="list-style-type: none"> ▷ Number of cases per time of day/night | <ul style="list-style-type: none"> ▷ Feedback from police, NGOs, Community ▷ Databases | |

Table 3.8: Monitoring mandate compliance

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---|--|---|-----------------------------|
| Mandate compliance | ▷ All mandate cases referred to FCS by SAPS are taken on | ▷ Measure no. of cases registered with no. of cases referred to FCS | ▷ SAPS |
| Implementation of child protection and perpetrator register | ▷ Up-to-date register | ▷ Child protection register checked ▷ Regular reporting by roleplayers | ▷ SAPS ▷ Social Services |

Table 3.9: Monitoring first intake requirements

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---|---|---|---|
| Batho Pele principles at first point of entry | ▷ 1 dedicated victim-trained staff member per shift | ▷ Shift roster ▷ Register of trained staff ▷ Pocket books | ▷ CPF members ▷ Organisations involved in victim support ▷ SAPS |
| Victim accorded privacy | ▷ Manner of interview ▷ Place of interview | ▷ Victim surveys | ▷ Supervisors |
| Counselling Facilities | ▷ Counsellors are helpful and caring | ▷ Spot checks by service providers | ▷ Other FCS role-players |

Table 3.10: Monitoring time to complete cases

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|--------------------------------------|---|--|---|
| Response time | ▷ How long since disclosure to SAPS & time FCS detective arrives: optimum time 1 hour | ▷ Evaluation forms for SAPS & NGO members | ▷ Intake officer ▷ Unit Commander NGOs |
| Response time for medical attention | ▷ Hours taken – optimum time: 1 hour | ▷ Complaints from victims ▷ Gather data through interviews with SAPS | |
| Timeous and correct completion times | ▷ All paperwork completed within 24 hours after report of case | ▷ 24 hourly checks | ▷ SAPS supervisors |
| Cycle times | ▷ Rapid cycle time, ensure child testifies within 4 months | ▷ CAS system ▷ Occurrence registers ▷ Court roles ▷ Number of postponements and reasons | ▷ CPFs ▷ Station Commissioner ▷ Other role-players ▷ NPA |
| Investigation times | ▷ All paperwork correct and complete in docket quickly | ▷ Dockets | ▷ Station Commissioners ▷ NPA |

Table 3.11: Monitoring medical and forensic services

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------|--|---|---|
| Service of forensic staff | ▷ Reaction time and adherence to protocol | ▷ Patient registers | ▷ CEO of hospital |
| F8L report cycle | ▷ Duration of cycle ▷ Unbroken chain of evidence maintained. | ▷ Keep a record of date specimen sent and date of results | ▷ Provincial Detective Heads ▷ Health ▷ NPA |
| Testimony in court | ▷ Success of expert witness ▷ Can't use Community service doctors who will leave before court date ▷ Testimony of forensic nurse not always accepted | ▷ Court records | ▷ SAPS and NPA |
| Crime kits | ▷ Enough available | | ▷ SAPS and Health |

Table 3.12: Monitoring case outcomes

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---|--|---|--|
| No. of reports | ▷ stats | ▷ SAPS stats | |
| No. of cases to court | ▷ stats | ▷ Dockets and Court stats | |
| No. of prosecutions | ▷ stats | ▷ Court stats | |
| Conviction rate | ▷ Better rates | ▷ Court stats ▷ Docket inspection to establish reason for poor conviction rate | ▷ SAPS managers ▷ NPA ▷ External roleplayers |
| No. of cases withdrawn | | ▷ Dockets and Court Stats | |
| Cases withdrawn for unacceptable reasons, e.g. no transport for victim to court | ▷ Reasons for withdrawal of cases | ▷ Dockets | ▷ FCS Commanders |

Table 3.13: Monitoring Justice Department requirements

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|----------------------------------|--|--|--|
| Repeat postponements | ▷ Repeated postponements | ▷ Dockets, court rolls, awaiting trial stats | ▷ SPP, SAPS and Corrections |
| Dockets at court for a long time | ▷ Dockets at court for a long time | ▷ Docket registers | ▷ SPP |
| Case Backlogs | | ▷ Backlog stats | ▷ Justice |
| Court preparation | ▷ Prepared for testimony | | ▷ SAPS ▷ NPA ▷ Other roleplayers |

Table 3.14: Monitoring inter-sector collaboration

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---|--|---|---|
| Referrals | <ul style="list-style-type: none"> ▷ No. of referrals for assessment and therapy | <ul style="list-style-type: none"> ▷ NGOs ▷ Court personnel ▷ Referral forms ▷ Statistics | |
| Timeousness of referrals and requests for reports | <ul style="list-style-type: none"> ▷ Timeliness of referrals and report requests and date of service delivery | <ul style="list-style-type: none"> ▷ NGOs ▷ Court personnel ▷ Referral forms ▷ Statistics | <ul style="list-style-type: none"> ▷ SAPS and Social Development/ NGOs |
| Shared information about case progress | <ul style="list-style-type: none"> ▷ Everyone involved is fully appraised all of the time | <ul style="list-style-type: none"> ▷ All roleplayers ▷ Docket information sheet | <ul style="list-style-type: none"> ▷ All roleplayers |
| Inter-sector Partnerships | <ul style="list-style-type: none"> ▷ Meetings and workshops | <ul style="list-style-type: none"> ▷ Correspondence, meetings minutes and workshops | <ul style="list-style-type: none"> ▷ All roleplayers |

Table 3.15: Monitoring victim satisfaction levels

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---|--|---|---|
| Quality of service throughout process | <ul style="list-style-type: none"> ▷ No victim complaints ▷ Professional and efficient conduct ▷ Service delivery procedures followed ▷ Minimum standards achieved | <ul style="list-style-type: none"> ▷ Evaluation of all service providers ▷ Questionnaires to victims by NGOs and SAPS ▷ No. of complaints against SAPS members ▷ Quality of statements ▷ Docket inspections ▷ Decreased levels of corruption ▷ Research ▷ Conferences ▷ Suggestion boxes for victims | <ul style="list-style-type: none"> ▷ Station Commissioner ▷ Other FCS role-players ▷ Independent Complaints Commission ▷ GPAC |
| Staff attitudes | <ul style="list-style-type: none"> ▷ Rudeness, insensitivity, etc. | <ul style="list-style-type: none"> ▷ Training sessions | <ul style="list-style-type: none"> ▷ SAPS ▷ Community |
| Feedback to clients about cases | <ul style="list-style-type: none"> ▷ No victim complaints ▷ Action plans | <ul style="list-style-type: none"> ▷ Evaluation forms filled in by Social Development and NPA staff ▷ Case docket ▷ Case conferences ▷ Media reports | <ul style="list-style-type: none"> ▷ Court preparation process ▷ Social Workers ▷ CPFs |
| Quality service by social workers, counsellors, psychologists | <ul style="list-style-type: none"> ▷ Poor, unprofessional service | <ul style="list-style-type: none"> ▷ Child protection register ▷ Reports to Social Development of NGOs doing statutory work | <ul style="list-style-type: none"> ▷ All roleplayers ▷ Social Development ▷ SA Council of Social Work |

Table 3.16: Monitoring prevention services

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|--------------------------------|---|---|---|
| Ensure prevention of FC crimes | <ul style="list-style-type: none"> ▷ Awareness campaigns ▷ Use of Media | <ul style="list-style-type: none"> ▷ Number of campaigns ▷ Pamphlets ▷ Media | ▷ SAPS Public Relations Office |
| Repeat victimisation | | ▷ CAS system | ▷ FCS Cluster Detective Head/ Unit Commander |

Table 3.17: Monitoring the wellbeing of FCS service providers

| What should be monitored? | What are the indicators for monitoring this? | How is the information to be accessed? | Who should monitor? |
|---------------------------|---|---|---|
| Wellness audit | | | |
| Debriefing | ▷ Regularity if made compulsory on request | ▷ SAPS survey | ▷ External debriefing consultants to ensure confidentiality |
| Salaries and incentives | ▷ Motivation to perform well | <ul style="list-style-type: none"> ▷ Salary structures ▷ Performance appraisals | ▷ SAPS |
| Working hours | ▷ Reasonable working hours | ▷ Standby work register | ▷ SAPS |
| Satisfactory Management | <ul style="list-style-type: none"> ▷ Adequate & functioning resources ▷ Maintenance of resources ▷ Appointment of managers who understand FCS work | <ul style="list-style-type: none"> ▷ Asset register ▷ Maintenance register ▷ Transparent appointments reflected in training audits | |

APPENDIX 3

SUMMARIES OF THE FINDINGS FROM THE NINE PROVINCIAL WORKSHOPS

| | |
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EASTERN CAPE

Introduction

The Eastern Cape workshop was held with 33 participants on 13 September 2007 in Port Elizabeth. The sectors from government that were represented were the Department of Social Development, the National Prosecuting Authority, the Office of the Family Advocate and 6 members of the FC Services of SAPS. The balance of participants was from the NGO sector, and there was one clinical psychologist in private practice present.

The workshop dealt with the following main issues:

- ▶ Defining a high-quality service;
- ▶ A comparison of FCS before and after the restructuring process
- ▶ Monitoring FCS services.

Defining High-Quality Services

Workshop participants provided the following information in response to the questions that probed what was required to establish high quality FCS in the province.

What cases should the FCS Units be handling, and what functions/activities should they be doing in relation to these cases?

| What kinds of cases should the FCS Units be handling? | Provide a comprehensive list of what functions/activities you think that they should be providing in relation to each of these cases. |
|---|--|
| Domestic Violence ▶ Common Assault ▶ Assault GBH | <ul style="list-style-type: none"> ▶ Training ▶ In cases where a protection order is already issued (all cases not only sexual cases) ▶ Skilled SAPS members to exercise discretion on arrest ▶ Referral to relevant stakeholders/resources for counselling ▶ Assess diversion possibilities, e.g. therapy for perpetrator ▶ Safeguarding of victim |
| Rape and Attempted Rape | <ul style="list-style-type: none"> ▶ Victim’s Charter to be implemented ▶ Multi-disciplinary protocol to be put in place ▶ Gathering of evidence on scene ▶ Proper investigations ▶ The victim must be taken to hospital for examination purposes ▶ The J88 and affidavit in terms of section 212 (4) must also be completed by the doctor ▶ The case must be opened and statement must be obtained regarding the offence. ▶ Doctors to compile Sexual Assault Crime kit |
| Indecent Assault and other Sexual Offences And attempted crimes | <ul style="list-style-type: none"> ▶ Victim’s Charter to be implemented ▶ Multi-disciplinary protocol to be put in place ▶ Proper statements should be taken ▶ Gathering of evidence on scene ▶ Proper investigations ▶ All cases must be attended to, for example, a man having sexual intercourse with another man through anal penetration – the victim must also be conveyed to hospital for examination purposes |
| Child Sexual Abuse Child rape and other forms of sexual assault | <ul style="list-style-type: none"> ▶ Specialised, trained officials who would be able to take statements from children ▶ Immediate response when a case has been reported ▶ Follow all proper procedures ▶ One-stop service centre with all the necessary services and facilities (Victim Support Centre) ▶ Above should include all trained professionals to assist victim |
| Physical Abuse of children | ▶ Specialised, trained officials who would be able to take statements from children |
| Children Involved in Family Violence | ▶ Specialised, trained officials who would be able to take statements from children |
| Child exploitation, e.g. child labour | ▶ Specialised, trained officials who would be able to take statements from children |
| Child Abduction | ▶ Specialised, trained officials who would be able to take statements from children |
| All cases, e.g. Rape Indecent Sexual Assault Incest Abduction & Kidnapping Common Assault Domestic Violence | <ul style="list-style-type: none"> ▶ All cases require: ▶ Prompt action ▶ Must be treated with empathy, respect, privacy ▶ The victim should be referred to other professionals: doctor, social worker ▶ Arrest the suspect as soon as possible ▶ Get all evidence quickly ▶ Debriefing of the survivor immediately |

In which places/locations should the above FCS services should be provided?

- ▶ In every town. There should be a focus on hot-spot areas.
- ▶ There should be a Victim Support Centre that is accessible to areas with high incidence of these problems. This should preferably not be the police station.
- ▶ There should be a Trauma Centre located in the hospital in the urban areas. In the rural areas, a Trauma Centre should be located at the nearest clinic.
- ▶ There should be a specialised FCS unit with their own offices.
- ▶ Near the most disadvantaged areas, for example, Helen Valley and in King William’s Town, where there is no FCS unit post restructuring.
- ▶ Every cluster (of stations) should have an FCS unit. Rural stations should have a trained FCS member.
- ▶ Hospitals.

Who should be providing these services and what skills and personal qualities should they have?

All the groups in the Eastern Cape provided responses that indicated that to render quality service to victims, a multi-disciplinary service was required. All of the 5 groups indicated that police detectives needed to be supported by social workers, some form of health personnel (indicating either doctors or nurses). Two of the groups indicated that specialised psychologists also needed to provide services. Two groups included personnel from the Dept. of Justice, such as prosecutors and magistrates, in their descriptions of the services that needed to be provided.

It was noted in discussions that the gender issue (more females than males) needed attention.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--|---|
| Multi-disciplinary FCS Unit Should also include: social worker, psychologist, forensic nurse and prosecutor | Below apply to all personnel: ▶ Gender sensitivity ▶ Communication skills ▶ Specialised knowledge |
| FCS Officers | ▶ Need to have been through specialised detective course and the FCS training course ▶ Specialised trained members need to be able to take statements from children ▶ Knowledgeable about child development ▶ Need to be experienced and mature people ▶ Listening skills ▶ Able to work with children ▶ Ability to communicate |
| Forensic Social Workers/Social Workers | ▶ Specialised training in forensic assessment, should have specialised FCS training, child pornography training ▶ Trained in legal aspects of the process ▶ Experienced and mature people ▶ Counselling skills ▶ Interpersonal skills ▶ Leadership skills ▶ Debriefing skills ▶ Listening skills ▶ Report-writing skills |
| Health staff ▶ Doctors ▶ Forensic Nurses | ▶ Specialised training in order to be able to fill in J88 forms completely and correctly; Form 25 needs to be completed correctly; have to be able to compile rape-kit ▶ Need to be able to act as witness in court ▶ Confidentiality ▶ Interpersonal skills ▶ Counselling ▶ Negotiation skills |
| Justice/NPA | ▶ Prosecutor and magistrates need to be trained in child development ▶ Skilled, trained, experienced and mature people ▶ Negotiation skills ▶ Communication skills |
| NGOs and Volunteers | ▶ Interpersonal skills ▶ Counselling skills ▶ Negotiation skills |

Empathy, a passion and dedication to a 24-hour job were the two key personal qualities that participants identified as being essential for all of the above service providers to enable a quality service.

In addition, FCS staff needed to be victim-friendly, honest, patient, approachable and respectful of confidentiality. Social Workers needed to be open and non-judgemental as additional personal qualities.

What resources should above personnel have to deliver services?

| Person that should be providing service | What resources should they have? | What other kinds of support do they need? (e.g. emotional support) |
|---|--|--|
| FCS detectives | <ul style="list-style-type: none"> ▷ Budget for standby and overtime ▷ Transport must be available 24 hours ▷ Cellphones ▷ No shortage of staff ▷ Availability of resources such as crime kits, comfort packs for rape victims ▷ The reporting officer and investigator must be the same ▷ Additional training where needed | <ul style="list-style-type: none"> ▷ Regular debriefing |
| Social Worker | <ul style="list-style-type: none"> ▷ Victim-friendly and accessible centre that is fully furnished ▷ Computer, printer, photocopier, stationery and office equipment ▷ 'Danger pay' allowance ▷ Vehicles | <ul style="list-style-type: none"> ▷ Support from management, stake-holders and community ▷ Debriefing |
| Psychologist | <ul style="list-style-type: none"> ▷ Material support: victim pack, food refreshments ▷ Funds for specialised services ▷ Scarce skills allowance ▷ Recognition and protection from government ▷ Promotion in field ▷ Personnel ▷ Vehicles ▷ Phones | <ul style="list-style-type: none"> ▷ Debriefing from Psychologists after trauma twice a year. |
| Forensic Nurses and Doctors | <ul style="list-style-type: none"> ▷ Examination rooms and medical equipment ▷ Centres for victim examination | <ul style="list-style-type: none"> ▷ Debriefing |
| Prosecutor | <ul style="list-style-type: none"> ▷ Access to Internet | |
| Volunteers, NGOs | <ul style="list-style-type: none"> ▷ Personnel, vehicles, phones ▷ Debriefing from psychologists after trauma twice a year | |

General comments on defining high-quality services

Implementing policy priorities

It was noted that while SAPS policy states that the crimes handled by FCS units are priority cases, this prioritisation is not reflected at the ground level. FCS Units need to be prioritised in relation to resources, and detectives need to be incentivised. Members should be prioritised as well – they have been trained as CPU officers and have long and good experience – have been there a long time and their experience is not valued as important when considering people for promotion. This should move beyond lip-service.

Training

Participants emphasised the need for training of all personnel delivering services in relation to victims. It was specifically noted that high-quality services are not possible in the absence of ongoing training.

It was specifically noted that SAPS members at the station level needed to be trained to understand their role and that of FCS units.

Staff management strategies

It was noted that more strategic staff management strategies needed to be in place to ensure a high-quality service. In this regard, the continued rotation of staff was noted as a practice that needed to be addressed.

The weakness of staff retention approaches was noted, especially in relation to the police. It was stated that investment in the training of specialised detective staff was being lost due to limited attention to better salaries for specialised staff, and the absence of promotion pathways for detectives who wished to remain specialised in FCS cases. In relation to this issue, it was also noted that the scarce skills allowances do not apply to FCS detectives but do apply to commercial crimes: the reasoning here seems to be that anyone can investigate FCS crimes against children but commercial crimes are more specialised.

It was also noted that it is necessary for FCS officers to have the aptitude for working with these cases. A number of special qualities are required (e.g. working in a multi-disciplinary team) for which officers must be specially selected.

Adequate provisioning also needed to be made for the regular debriefing for FCS members.

SAPS communication and consultation

This was noted by participants to be a serious weakness in the SAPS, on a number of levels. Changes in service delivery were noted to not be communicated well to either staff members or the public, leaving room for speculation and rumour.

The need was also noted for the SAPS and its partners to undertake information and awareness campaigns in order for people to understand what services are being provided and what to expect from the different sections within the SAPS.

Participants also pointed out that based on workshops held by SAPS in the past, the SAPS seemed to be asking for input from the ground about how services need to be structured. However, it did not seem as if they listen to what people have said.

Coordination of services

The need was noted for more proactive coordination of services by government. It was noted that services needed to be in defined places, managed by defined people, and that specific standards needed to be agreed upon by all involved, notwithstanding the fact that role-players were from different departments and organisations.

The need was also highlighted for SAPS members at station level to be informed about the duties of the different role-players, and to have specific knowledge about how FCS services work. This group was defined as having a pivotal role in relation to services to victims.

The need for a framework for service delivery

It was noted that there was a need for framework for service-delivery that would guide the practice of all the role-players. The National Protocol on Child Abuse and Neglect driven by the Department of Social Development was noted to have been useful in this regard, as it explained all the required actions of the different role-players. It was noted that this seems to have been abandoned, and that there was a need for such a mechanism to ensure the quality of services.

Resources for services

Participants noted the need for adequate resources to be provided for all services to function at a high-quality level, especially the police.

It was also noted that adequate resourcing needed to be available to guarantee a 24-hour service.

Visibility and accessibility of services

Participants stated that FCS services must be accessible and visible to the community.

Comparison of FCS Services Before and After Restructuring

Who was receiving services from FCS Units/officials before the SAPS restructuring and at the current time?

Respondents in the Eastern Cape noted no specific differences between before and after the restructuring in terms of the people to whom FCS services were directed. They noted that cases were referred to the FCS units in terms of the mandate of the Units and that this did not change.

Which police officials provide services before the SAPS restructuring and at the current time?

Respondents reported that before the restructuring, FCS unit personnel attended to cases. These officers ranged from the level of Constable to that of Superintendent. They noted that most detectives had been specially trained to investigate FCS cases.

Respondents stated that, currently, since the restructuring, there had been changes in the people that respond to FCS cases. It was noted that in some areas, for example Port Elizabeth, the same FCS officers were allocated at 3 station clusters. In other areas, new staff members had been acquired, but these staff are servicing vast areas. It was noted that, in the Port Elizabeth Metro, there were more, younger and less experienced officers at constable level undertaking investigations due to the resignations of some more experienced officers. Respondents also noted that there seems to have been a transfer of skills away from the larger cities to rural areas or other un-serviced areas.

Accessibility of services to victims in terms of location, and area of operation before and after restructuring

Before the restructuring, respondents reported that in areas where FCS services were established (e.g. Port Elizabeth), victims reported to the nearest police station, and the FCS units were contacted by the station. After the restructuring, the process remained very much the same in terms of accessibility. Groups noted that in the urban areas, FCS services were well-known to all service-providers and therefore accessible for providing services to victims. Generally, it was agreed in these areas, services were accessible, and that they were able to respond immediately to cases, and that victims received a specialised service.

It was noted that in many areas, distance was a problem and the accessibility of services was affected by this. The areas that had to be covered by FCS officers were large, but it was noted that at least there were dedicated vehicles available to reach these areas, although it was also noted that vehicles available to FCS officers were not of a high enough quality in order to get to some areas.

After the restructuring, the process remained very much the same in terms of accessibility in the urban areas that had established services. Areas such as Port Elizabeth reported that the existing members were simply divided into three accounting stations.

Respondents reported that the restructuring resulted in FCS services being extended and services being taken into the community. However, two specific issues were noted: some areas are not covered by FCS services at all, and some of the new areas covered by FCS services did not have FCS personnel or other resources allocated to them. It was specifically noted that far more officers are needed in order to reach all areas.

It was agreed that an issue relating to accessibility of these services is the lack of comprehensive information regarding where FCS officers are located; contact telephone numbers; areas of operation; duty roster for each area, etc. The lack of this information makes working with FCS officers difficult. Coordination is more difficult as it is unclear who should be communicated with in terms of attendance at Victim Empowerment Programme meetings, etc.

Availability of resources for the provision of these services

Detectives

In the urban areas such as Port Elizabeth, there have not been significant changes in the number of detectives available. In areas such as Cradock, detectives had not specialised and handled all kinds of cases. It was noted that detectives covered large areas, but that there were more detectives servicing the urban areas than the rural areas.

Currently, it was reported that there are not enough detectives to cover all the areas that services need to reach. In some areas, e.g. Aliwal North, there is no Unit, but there is a specialised SAPS member. Some areas are not serviced by FCS detectives at all.

Vehicles

There is no difference in the Port Elizabeth area in terms of the availability of vehicles. In the Cradock area, FCS detectives used cars available to all the detectives. Generally, vehicles were available, although some areas that did not have dedicated vehicles noted difficulties in accessing unmarked vehicles.

In terms of the current situation, in the Port Elizabeth area, it was noted that more vehicles were now available and that these were dedicated to specialised units. In other areas, it was stated that dedicated vehicles are now part of the station's vehicle pool, and that FCS officers do not have priority over these. It was noted that it was often the case that a vehicle was needed but not available. It was also stated that it was not always possible to access an unmarked vehicles for FCS work.

Victim-friendly facilities

Marked differences were reported amongst participants in terms of the availability of victim-friendly facilities. In the Port Elizabeth area, it was reported that the FCS unit had offices which were separate from the SAPS stations, which were retained after the restructuring. In other areas (e.g.

Cradock and Aliwal North), it was reported that no special victim-friendly facilities existed and that this had not changed through the process of restructuring. Some units continue to operate from police stations.

Other equipment

There were also marked differences between different FCS units and officers in terms of the availability of other equipment for the delivery of services. The Port Elizabeth FCS unit seems to have benefited substantially from the European Union supported project to improve policing in the province, and it was reported that this Unit was well-resourced in terms of office equipment and other materials (e.g. materials for working with children such as crayons, colouring books, etc.)

Other units reported that equipment provisioning was problematic both before and after the restructuring, and that there have not been improvements recently. It was also noted that some FCS officers were moved to new areas without any provisioning for equipment.

Skills and personal qualities of the FCS officers

Skills of the FCS officers

Before the structuring, participants stated that the FCS officers providing services in most areas were trained for the work to be undertaken. In some cases, it was noted that most had 'average' skills, but that more growth and development was necessary.

At the current time, it was noted that there are new officers doing FCS investigations who have not been trained for this work. Language problems were also reported as officers who did not have appropriate language skills were deployed in new areas.

Personal qualities of the FCS officers

There were great differences reported by the respondents in terms of this issue both before the restructuring and at the current time. It was stated that, before the restructuring FCS officers were committed and motivated and had a sense of job security. There was also a perception that applicants to these units were screened. It was stated that officers had a good work ethic and had great expectations for the restructuring process.

During and after the restructuring, participants reported a great deal of confusion and uncertainty relating to their work. It was reported that officers were redeployed to entirely new areas without consultation, and that many felt demotivated due to the way in which the restructuring was conducted. Officers were working under new managers and new conditions and it was stated that morale was still low due to these issues as well as new working conditions.

Strengths and weaknesses of FCS services before and after the restructuring

The following strengths that were highlighted regarding services provided under the previous model were as follows:

- ▶ FCS officers were delivering these services because they wanted to, and that efforts were made to place them according to their ability and skills
- ▶ Structuring of unit could carry workload
- ▶ Structuring of logistics could carry workload
- ▶ Well resourced (e.g. equipment)
- ▶ Few skilled officials
- ▶ Fewer (less) cases to investigate
- ▶ Standard of investigations were high due to higher commitment/motivation of officials
- ▶ Committed
- ▶ Collaboration with other stakeholders
- ▶ Good communication within SAPS (FCS)
- ▶ Trained and skilled and experienced
- ▶ Good resources
- ▶ Units were available at the Provincial hospitals

Weaknesses in the previous model were:

- ▶ In some areas detectives were not trained in FCS
- ▶ No consistency in areas, provinces, stations, e.g. PE Unit operational, not in country districts
- ▶ Under-staffed
- ▶ Burnout
- ▶ Huge areas to cover
- ▶ Posts were left vacant
- ▶ Rural areas were not covered
- ▶ Members had to travel far to get to work

Participants stated that the idea behind the restructuring was very good; that accessibility is something positive.

Current strengths of FCS services are:

- ▶ Areas to be attended to are now nice and small – easier to attend to quickly
- ▶ More skilled officials
- ▶ Standard of investigation is high
- ▶ The community knows where to go
- ▶ Rural areas are serviced.
- ▶ Where members were transferred nearer to their own people it affected their services in a positive way
- ▶ FCS officers still maintained good relationships with other role-players
- ▶ Members taken closer to home with people they are familiar with – some communities have benefited
- ▶ In PE the unit was operational before and has remained the same
- ▶ Previously statements in Cradock were taken at the station so this is an improvement as there is now a victim-friendly office
- ▶ Some skilled people have moved to rural areas and taken the skills with them which is good
- ▶ Regarding training, this is a very encouraging sign. Previously it was in-service training delivering this training in spite of not having any experience in FCS detective services. This system required improvement. There are

now four members of FCS unit who have been trained as trainers. They along with five people from national office will run six courses per year, every two months. This will be a four-week training course. Every second course will be for ‘specialised individuals’ only. This is a very encouraging sign.

The following are current weaknesses:

Relating to human resources:

- ▶ Members are forced to accept positions in special units. This has then lost some of the impact of training as some have resigned. Before it was a person’s choice to work with those cases, after the restructuring it was that you were told to work with these cases irrespective of inclination and training. This negativity influences the community.
- ▶ Previously psychometric tests were done, now there has been no testing.
- ▶ Selection processes have not been followed.
- ▶ Previously members in FCS were trained and now they must do the work irrespective of training.
- ▶ No commitment/skills experience.
- ▶ Limited promotion in FCS unit.
- ▶ FCS unit (3 persons in country district) to serve 13 stations. Previously in Cradock normal detectives did investigations and now there is a unit. This has not necessarily improved services in Cradock as there is one unit that is serving 13 stations and they cannot get to all of the cases the capacity is not there to deal with the need.
- ▶ Officials work only 8 hours per day.
- ▶ People being scattered means that when people who are off sick there is no one to pick up.

Relating to physical resources:

- ▶ Fewer vehicles/resources
- ▶ Higher case load
- ▶ Transportation of victims must be done by FCS official
- ▶ Not always enough funds available
- ▶ No scarce skills pay
- ▶ FCS resources, moving team from a central building to a station, vehicles and resources are now shared among the station, FCS don’t always have access to these
- ▶ Do not have the same access to unmarked vehicles and so use marked vehicles to visit victims
- ▶ There is no fair distribution of human and material resources, in relation to work load, in some areas few members with many cases, 20 people are allocated 4 vehicles between them
- ▶ FCS members not registered on station systems and so cannot get vehicles maintained, e.g. smooth tyres cannot be replaced and vehicles cannot be used

Relating to inter-sectoral communication and coordination:

- ▶ There is no communication with other stakeholders.
- ▶ The community does not know where to go. They are confused if the unit is still rendering services.

- ▶ It became very difficult to communicate with people in their new offices. It was difficult to know who to call to meetings.
- ▶ Service providers are unaware of where to take their cases.
- ▶ It has made it difficult to co-ordinate cases – difficult for a coordinator to know all the cases that have been reported. In some areas FCS members are not available at all, some areas have more members.
- ▶ Doctors and FCS members were used to the way the services in PE worked and to effective health services, but things work differently in other areas. FCS officers do not know what to do and the victims suffer.
- ▶ Some FCS units still have dockets that are from another area and have kept those dockets that are now running between about six courts, no longer serving an area but still carrying those dockets. This is because there are no FCS units there and no specialist individuals.
- ▶ Problems with health services need to be addressed since we spend a lot of hours at the hospitals waiting for the medical services.

Participants additionally pointed out the following weaknesses in the restructuring as a process:

Lack of uniformity of services

- ▶ The Eastern Cape is different: it is partly urban with a big rural area. This makes implementation difficult because one has to deal differently with these areas. It is not possible to have FCS in every cluster. There is no uniformity in whether there is improvement or not. Some areas have benefited and others have been disadvantaged even further. Stations that were not previously serviced are still not serviced and members have been reallocated to other areas.
- ▶ Participants asked whether SAPS national applied their minds or have the necessary information before deciding on how to devolve. It seemed they had not taken demand and technical considerations into account.
- ▶ Craddock has more cars than before – there is no consistency.
- ▶ Only urban stations benefited from new resources, experiences and skills – criteria used about where the detectives stayed is not beneficial to the rural stations.

Poor communication about the restructuring process:

- ▶ The biggest weakness has been the communications, although SAPS national did provide some information.
- ▶ The top-down decision caused the members to become demoralised and confused and created a huge sense of disillusionment in the community (people understood that a good service was being disbanded); people are judging the process from the negativity created by the lack of communication.
- ▶ Restructuring also made other SAPS officials less interested in the work that they were doing because they were

demotivated and confused themselves. There is uncertainty in relation to role definition.

- ▶ There was no communication with role-players – one had the idea that SOCA was moving towards specialisation.
- ▶ Before the restructuring there was motivation and a sense of ‘family’ and identity as FCS within the SAPS, there is now a sense of threat by senior managers at meetings or when applying for resources. There is a rumour that money should not be spent on these services because the money will be wasted. There is the looming restructuring where FCS does not feature and this is a threat. This takes away motivation to develop and to work well. ‘There is no future planning for FCS’ and this is demoralising. There is a document in SAPS where the proposed structure is without a FCS. This is a threatening tool.

Inadequate management systems in place

- ▶ Management systems upset and not replaced effectively
- ▶ New managers do not understand the issues in the same way – don’t understand the crimes in the same way
- ▶ No clear guidelines (heard 3 or 4 times that things would be restructured) – about the role of the cluster commander – no additional training for the cluster commander. He is not necessarily the person that manages at the station level.
- ▶ Some of the station commissioners were threatening the FCS members that they would take their resources.
- ▶ It seems as if the restructuring was not budgeted for – no accommodation made at the cluster station – confusion with the allocation of resources at the cluster station.
- ▶ Police officials in the smaller areas are left without proper guidance and supervision since there is no specialised supervision (some areas have supervisors without people to supervise).

No forethought about training needs

- ▶ SAPS national has given no guidance regarding additional training for new FCS staff who, although nearer to communities, are still untrained.
- ▶ Training is needed not only for FCS officers, but for station-level personnel.

Insufficient provision for support services to FCS members

- ▶ There is little care and support to the FCS members, although this is not much different than before. Previously there were fewer people with training dealing with a huge case load and now there are more people but with little/no training managing slightly smaller loads.
- ▶ Concern about the traumatic experiences that SAPS members are faced with. They are given training to upgrade their skills but not their coping skills, conflict and problem-solving skills. EAP etc. are not addressed and discussed. They seem not to be in place. Debriefing sessions are needed.

Restructuring split-up families

- ▶ Some staff had to relocate away from their families due to the restructuring and the move of the provincial SAPS office to Bisho. Many of these issues are still not resolved.

Restructuring and court jurisdictions

- ▶ Restructuring did not look at the jurisdiction in relation to the courts – this was not planned at the beginning and has resulted in confusion.

FREE STATE

Introduction

The Free State workshop was held with 18 participants in Bloemfontein on 16 August 2007. All participants came from Bloemfontein. Most of the participants came from the NGO sector, with a small contingency from the Department of Health, the Departments of Corrections and Justice.

The workshop dealt with the following main issues:

- ▶ Defining high-quality services
- ▶ A comparison of FCS before and after the restructuring
- ▶ Monitoring FCS services

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

Participants listed the following types of cases that should ideally be handled:

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|---|
| Assault common emanating from Domestic Violence | <ul style="list-style-type: none"> ▷ Knowledge and information about appropriate legislation and resources ▷ Skilled staff regarding procedures ▷ Quality and sensitive reception ▷ Statements should be taken in a private place |
| Assault GBH emanating from Domestic Violence | <ul style="list-style-type: none"> ▷ Knowledge and information about appropriate legislation and resources ▷ Referral to service provider ▷ Statements should be taken in a private place |
| Harassment/Intimidation emanating from Domestic Violence | <ul style="list-style-type: none"> ▷ Provide information ▷ Transport separately ▷ Statements should be taken in a private place |
| Malicious Damage to Property emanating from Domestic Violence | <ul style="list-style-type: none"> ▷ None stated |
| Domestic violence affecting children | <ul style="list-style-type: none"> ▷ SAPS should take each case seriously, not use own discretion but rather call in social workers. |
| Sexual Offences where the victim is an adult | <ul style="list-style-type: none"> ▷ Accessible SAPS service to enable victims to report → victim-centred approach ▷ Victim sensitivity at all levels – statements, investigation, court ▷ Timeous reaction from detectives when called out ▷ Transport victims immediately to forensic/medical service if case is reported within 72 hours. ▷ Utilise support services to provide crisis intervention, e.g. social workers, religious/support workers ▷ Statements should be taken in a private place |
| Sexual Offences where the victim is an adult emanating from Domestic Violence | <ul style="list-style-type: none"> ▷ Assist/enable victim to witness in court → work with roleplayers e.g. prosecutors, social workers, support workers ▷ FCS roleplayers able to testify in court → expert witness ▷ Statements should be taken in a private place |
| Assault coupled with a sexual offence where the victim is an adult | <ul style="list-style-type: none"> ▷ Investigating officers to be skilled and trained interviewing traumatised victims ▷ Skilled investigators who are able to complete, e.g. SAPS 308, crime kit and understand administrative procedures ▷ Timeous investigation with regular feedback to victims ▷ Statements should be taken in a private place |
| Offences against children: Physical abuse | <ul style="list-style-type: none"> ▷ Create a safe environment for the child when opening a case ▷ Take statement without interrogating the child ▷ Take them for medical examination ▷ Provide support in getting belongings from home ▷ Statements should be taken in a private place |
| Offences against children: Sexual abuse | <ul style="list-style-type: none"> ▷ Create a safe environment for the child when opening a case ▷ Take statement without interrogating the child in private place ▷ Take them for medical examination ▷ Provide support in getting belongings from home ▷ One-stop service that will include all relevant parties involved (e.g. police, doctor – children should be dealt with under one roof) ▷ FCS members to be female especially in cases of rape ▷ FCS member that initially handled the case should do the investigation ▷ In every police station there should be a trained member that liaises with FCS member ▷ Police stations should be more child-friendly |
| Emotional abuse of children | <ul style="list-style-type: none"> ▷ Reported cases that are not sent for medical attention should be reported to social workers immediately. |

In addition to the above, participants cautioned that where victims are refugees, the Department of Home Affairs and a social worker should be called in to assess/assist with the case. For cases where children with challenged behaviour are involved, rather than being judgemental the social worker should be called in to establish the underlying causes of the challenging behaviour of the child.

In which places/locations should the above FCS services be provided?

One group was of the opinion that FCS should be provided at victim support centres that are accessible to victims and not at police stations or hospitals, both of whom instil fear and have little credibility in the community for rendering a good service. Another group stated that FCS should be available at a One-stop centre in each town and that mobile SAPS stations should be open in each squatter area that would act as a feeder station for the One-stop Centre.

Two other groups stated that the service should be rendered from a police station, but not in the reception area. Stations should be victim-friendly.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--------------------------------------|---|
| SAPS | <ul style="list-style-type: none"> ▷ Listening skills ▷ Communicating skills ▷ Skills to contain the emotions of a victim ▷ On-going training and informed about policies and legislation regarding offences relating to children ▷ Investigating skills and detective skills, particularly evidence and DNA-gathering skills. |
| All FCS members | <ul style="list-style-type: none"> ▷ Trained in Child Care Act ▷ Sensitive to dealing with sexual offences |
| Social Workers/ Psychologists | <ul style="list-style-type: none"> ▷ Relevant professional skills: 4-year degree plus experience ▷ Qualified in basic counselling ▷ Able to provide trauma debriefing ▷ Able to involve family of victim in every aspect |
| Social Auxiliary Worker | <ul style="list-style-type: none"> ▷ Empathy skills ▷ Communication skills ▷ Conflict and anger management skills |
| Volunteer/lay counsellors | <ul style="list-style-type: none"> ▷ Training ▷ Knowledge of resources ▷ Victim empowerment ▷ Crisis intervention skills ▷ Advocacy skills ▷ Awareness-raising skills |
| Hospital personnel | <ul style="list-style-type: none"> ▷ Skills to be able to render service to children ▷ Necessary qualifications ▷ Specialist forensic skills |
| Legal or para-legal services | <ul style="list-style-type: none"> ▷ Legal qualification/knowledge ▷ Able to work in specialised sexual offences courts |
| Educators | <ul style="list-style-type: none"> ▷ Degree or diploma |
| All of the above | <ul style="list-style-type: none"> ▷ People must have specialised in their specific field in rendering a service to victims of offences. |

Most groups agreed that the personal qualities that are relevant to all different role-players are that these should be people with passion, commitment and willingness to work with children. Empathy and victim sensitivity were also identified as personal qualities that all FCS role-players should possess.

In addition, the following personal qualities were required for the following categories of service providers:

- ▶ *SAPS*: people who treat all with dignity and respect, and have people skills.
- ▶ *FCS Members*: respectful, non-judgemental, supportive and respect for confidentiality.
- ▶ *Social workers*: Must have patience.
- ▶ *Medical staff*: Must be patient.

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? |
|---|--|
| Social workers | <ul style="list-style-type: none"> ▷ Transport (regularly maintained vehicles) ▷ Market-related salaries ▷ Private office space with telephones ▷ Office equipment appropriate for children ▷ Directory of services |
| FCS SAPS | <ul style="list-style-type: none"> ▷ Transport ▷ Market-related salaries |
| Hospital personnel | <ul style="list-style-type: none"> ▷ Medical supplies and appliances ▷ Market-related salaries |
| Educators | <ul style="list-style-type: none"> ▷ Market-related salaries |

In addition, interpreters should be available to all categories of service providers should they be needed.

In addition to these resources, all FCS providers should receive on-going specialised training, have supervision and supervisory support and be regularly debriefed, preferably by external professionals.

General comments on defining high-quality services

The workshop representatives stressed the importance of the following with regard to quality services:

- ▶ **Inter-sectoral approach**: All service providers, but particularly SAPS, should see themselves as part of a multi-professional team and have respect for the roles of their inter-sectoral colleagues. This will counteract working in isolation, and promote inter-sectoral cooperation, co-ordination and communication.
- ▶ **Seeing the bigger picture**: The approach should move from law enforcement and investigation to one that envisages the bigger picture, ie. from crime investigation to sentencing to victim empowerment to crime prevention.
- ▶ **Diversity promotion**: The service needed to attract more diversity with regard to gender and language so that the most appropriate persons are available to deal with a specific case.
- ▶ **Promoting FCS**: Communities think that FCS is no longer

available, and communities need to be engaged to rectify this misperception.

- ▶ **Availability of social workers:** There is a need to ensure that social workers are available on a 24-hour basis, and that back-up arrangements are made when social workers take leave.
- ▶ **Continuity of service for the victim:** One detective should handle the case from start to finish.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Before restructuring, the victims of the following crimes received FCS services:

- ▶ All sexual offences for both adult and child victims
- ▶ Sexual exploitation
- ▶ Child abduction
- ▶ Child abuse and neglect
- ▶ Assault on child victims up to 12 years of age
- ▶ Victims (mostly women) of the Domestic Violence Act, and offences emanating therefrom that include assault common and GBH, attempted murder and manslaughter. Furthermore, one of the groups indicated that this was only for victims of intra-familial violence, without defining what intra-familial consisted of.

After restructuring, the list of crimes that received the attention of FCS remained the same, but now there is no longer a primary focus on child victims.

Which police officials provided services before the SAPS restructuring and at the current time?

Before restructuring, Inspectors and lesser ranks attended to Domestic Violence. The same applied to sexual offences for adult victims, except that Bloemfontein had a dedicated Rape Unit. Where the victim was a child a uniformed member of SAPS would open the docket and allocate a MAS no. Thereafter the FCS plain clothes officer that was on standby duty would be called in to take the case further. These were

Captains and Inspectors attached to the CP/FCS Unit.

Post restructuring, all staff, ranking from Constable and up, at station level attend to Domestic Violence. For sexual offences all FCS staff, irrespective of rank, take on the case, but detective work is done by the FCS detectives, if available, otherwise by general detectives. The situation for child victims remains much the same as before restructuring, except that the specialised staff are no longer situated at a central CP Unit, but are divided up between two police stations.

Accessibility of services to victims in terms of location and areas of operation

Before restructuring, Domestic Violence was reported at:

- ▶ The library
- ▶ The victim's house
- ▶ West-Burger (CBD).

Post restructuring this service is now in some areas brought closer to the complainant.

In respect of Child Abuse, restructuring has brought no change: where there were no services before, there are still no services. In some areas prior to 2006 there were specialised officers waiting around to assist victims.

Regarding sexual offences, the situation too has remained unchanged, except that the special unit staff now function from cluster stations. Here the primary complaint regarding accessibility was that there was no clear CPU office identifiable anymore and that the process of getting hold of the member on standby now takes longer. Furthermore, the complaint was that these specialised staff now had a bigger case load, since they attended to all victims of sexual offences – adults and children.

Skills and personal qualities of detectives

Regarding the skills of investigators before restructuring, opinions were divided among the participants; some stated that the investigators were excellent with specialised skills, others that the skills base of investigators was lacking but could not be sure whether this was due to lack of knowledge and/or resources, or negative attitudes or even weak management. Likewise with the personal qualities of these

Availability of resources pre- and post-2006 for the provision of these services

| Resource | Prior to 2006 | Post-2006 |
|----------------------------|---|---|
| Detectives | Not enough detectives for adult victims of sexual offences, but otherwise enough detectives. A standby list was available and the specialised detectives were known by name | The situation is the same, possibly less detectives and certainly new staff not experienced enough. However, the detectives are not known and the standby list is only available through Childline. |
| Vehicles | A shortage of vehicles, and particularly not to transport victim and offender separately | Opinion divided about shortage of vehicles. Some say there is now enough, but still not enough to provide a quality service. |
| Victim-friendly facilities | Such facilities only available at CPU offices, but with limited support at victim centres and no separate rooms for interrogations | Most police stations are not child friendly, and not all have VEP rooms. |
| Office equipment | unknown | unknown |

investigators, groups were divided: some stated that these investigators were positive, loyal, victim-sensitive and committed. Others state that only some of the investigators had such positive qualities.

However, workshop participants were unanimous that post restructuring nothing had changed: the skills levels were still the same and the levels of commitment and necessary personal qualities required had not changed.

Strengths and weaknesses of services before and after the restructuring

A key strength that was highlighted regarding services provided under the previous model included:

- ▶ CP Unit and Rape Unit that merged to provide services to all victims of sexual offences and one central CPU office.

Workshop participants offered the following weaknesses of FCS *after* restructuring:

- ▶ Most police stations don't have victim-friendly facilities, and at times where there is an interview room, security guards abuse the facility by watching television there.
- ▶ Communities are of the opinion that FC Services have been phased out, since media reports gave out this impression as well. Even Childline had no clear idea what was going on. SAPS provided no clear communication about the restructuring. There is still confusion, particularly regarding specialised detectives.

- ▶ Most stations do not respect the privacy of individual victims and assume that all victims can be interviewed whilst other victims are waiting their turn.
- ▶ Still not enough specialised staff to deal with sexual offences for adult victims.
- ▶ Still no or limited services in rural areas.
- ▶ It is difficult to get hold of FCS members on duty.
- ▶ Management of detectives is unclear.

Monitoring FCS Services

Monitoring of SAPS services were grouped as shown below by participants. Table A sets out what should be monitored for all cases and services, but very specific monitoring of services regarding child abuse is set out in Table B.

In addition to the above monitoring, the availability of FC services *across the sectors* (SAPS, social workers, health, NPA, etc.) should be subject to on-going monitoring by all roleplayers. The availability or otherwise of all service providers can be gathered from community meetings and CPF meetings.

In conclusion, the participants stressed that no organisation should be monitoring itself, but that external monitors would ensure objective reporting of service delivery standards.

Table A: What should be monitored for all cases provided by all services

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|--|--|--|--|
| SAPS-CSCs (First Point of entry) Reception | One dedicated victim-trained staff member per shift | <ul style="list-style-type: none"> ▶ Shift-roster ▶ Register of trained staff ▶ Victim questionnaires | <ul style="list-style-type: none"> ▶ CPF members ▶ CBO's involved in victim support services ▶ Station Commissioner ▶ NGOs |
| Timeframe between case being reported to the involvement of the CID | Response within 1 (one) hour of the case being reported | <ul style="list-style-type: none"> ▶ Intake officer/victim support workers monitor process | <ul style="list-style-type: none"> ▶ Intake officers ▶ Victim support workers ▶ Civil society roleplayers |
| Total cycle time | No victim complaints | <ul style="list-style-type: none"> ▶ Internal or external audits | <ul style="list-style-type: none"> ▶ SAPS |
| Progress of the investigation/ Feedback | Availability of information to be confirmed | <ul style="list-style-type: none"> ▶ Case docket | <ul style="list-style-type: none"> ▶ Civil society role-players ▶ Social workers ▶ Court preparation process |
| Case management | No cases successfully prosecuted/ not dismissed | <ul style="list-style-type: none"> ▶ Monthly statistical report | <ul style="list-style-type: none"> ▶ CPF |
| Quality of service delivery over time due to on-going training and improved quality of staff | No complaints from community or victims and increased service delivery | <ul style="list-style-type: none"> ▶ Reports from other role-players and community | <ul style="list-style-type: none"> ▶ SAPS, civil society, VEP group |
| Availability of resources | Improved service delivery | <ul style="list-style-type: none"> ▶ From SAPS and Community | <ul style="list-style-type: none"> ▶ Station Commissioner, CPF and role-players |
| Promotion of FCS in the community | Increased reporting rate | | <ul style="list-style-type: none"> ▶ CPF and SAPS |

Table B: Monitoring services regarding child abuse

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|---|---|--|--|
| 1.The reception of victims at charge offices (intake Officer) | The way they interview the victims. Privacy | Survey of victims | Immediate Supervisor The Officer himself/herself should monitor the situation |
| 2.Counselling facilities | Making the room feel warm and helpful | Visits by the community or service providers | Counsellors Other stakeholders working with children |
| 3. Effectiveness of services | Cases dealt with Feedback Progress on cases | Forum meetings | Station commander |
| 4. Regular training | Completing of work duties and completion of information forms The way they talk to their clients | Training attended | Supervisors and staff commanders |
| 5. Gender sensitivity | Sensitivity to woman’s issues. The handling by different genders | The way they interact with different genders | Community at large Immediate supervisors Victims themselves |
| 6. Prevention services | Awareness campaigns Media broadcasting | Awareness campaigns held | Public relation officers |
| 7. The safety of victims reporting cases | Safe environment Trustworthy personnel | Interviewing the victims Environment itself | Officer in charge |

GAUTENG

Introduction

The Gauteng workshop was held in Johannesburg on 31 July 2007. Twenty-five participants, mostly based in Johannesburg and with 4 participants from Pretoria, represented the following sectors: FCS SAPS, the National Prosecuting Authority and the NGO sector.

The workshop dealt with the following main issues:

- ▶ Defining high-quality services
- ▶ A comparison of FCS services before and after the restructuring
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

Participants stated that FCS should be handling the types of cases set out in the table below.

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|---|
| Child Abuse | <ul style="list-style-type: none"> ▶ Statement taking ▶ Understanding children's development ▶ Crime kit. Collect from doctors and send to the lab ▶ Collecting reports ▶ Make sure the children attend assessment ▶ Accompany children to court ▶ Call centre ▶ Link to victim support person/social worker/counsellor ▶ Reporting to court ▶ Referral to supportive services for the family ▶ One-stop centre provides ongoing communication with family, victim re bail, parole, court appearances. |
| Child victims – all crimes | <ul style="list-style-type: none"> ▶ Inspector provides transport ▶ Statements should be very complete. They usually are very vague and the child is traumatised by giving info to several people. If needed use interpreters that speak African languages ▶ Resources must be listed to support the FCS. SAPS must avail themselves, communicate regularly with local community groups to ensure good working relationships. ▶ Specialised unit within FCS unit to investigate the crimes ▶ Medical/assessment – comprehensive ▶ Referral to child protection agency |

| | |
|--|---|
| Domestic violence where children are involved | <ul style="list-style-type: none"> ▶ Link to victim support ▶ Statement taking, opening of dockets, referral to courts ▶ Removal and referral to child protection agency ▶ Referral to court preparation/support programmes |
| Child perpetrators of sexual offences | <ul style="list-style-type: none"> ▶ Link to social work services/probation officers ▶ Statement taking, opening of dockets, referral to control prosecutors ▶ Referral to relevant service providers |
| Adult victims of Sexual Offences (Rape, attempted rape and indecent assault) | <ul style="list-style-type: none"> ▶ The victim must be fetched by the FCS member at the trauma centre. ▶ FCS member must interview and obtain a statement from the client. ▶ They must then transport her to a place where she can get a medical examination. ▶ There must be a cellphone number on standby available to all police stations, as well as the commander if that person cannot be reached. ▶ In terms of court cases, where the client has a problem of finance, the investigating officer should take responsibility for ensuring that the client goes to court. ▶ If the victim is traumatised or does not have transport it is the responsibility of the FCS member to transport her to her home. ▶ Investigate the case. ▶ The officer should keep the client informed of what is happening with the case. |

In addition to the above, it was mentioned by some participants that a social worker or counsellor should be able to assist victims in the taking of the statement where victims are reluctant to talk to the police.

In which places/locations should the above FCS services be provided?

One of the groups of participants stated that FCS services should be available at all police stations, and where there is no police station, at clinics. However, another group cautioned that the service should be located, as in the past, in central localities. Another group was of the opinion that FCS services, particularly where child victims are involved, should be provided at one-stop centres. Where these were not available, from police stations well known to the community and with trained service providers. The ideal was that there should be one number to contact and one place to go to, to receive a specialised service.

Another aspect that was canvassed regarding the locality, was that some police stations, e.g. Khutsong, still had little credibility in the community, and such stations were less than ideal for FCS services.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--------------------------------------|---|
| Detectives | <ul style="list-style-type: none"> ▷ Investigation skills – child abuse training in the field ▷ Detective course ▷ FCS course ▷ Basic counselling ▷ Communication skills, particularly with children ▷ Literacy and interviewing skills ▷ Specialised in child abuse |
| Social Workers | <ul style="list-style-type: none"> ▷ Counselling skills ▷ Specialised to work with children ▷ Specialised training (play therapy) ▷ Assessment skills (forensic, development) ▷ Computer literacy ▷ Protocol training |
| District surgeons | <ul style="list-style-type: none"> ▷ Qualified to work with children ▷ Qualified to examine children ▷ Know how to fill in the J88 ▷ Prepared to go to court ▷ Counselling and debriefing ▷ In-service training ▷ At least 5 yrs experience |
| Prosecutors and Magistrates | <ul style="list-style-type: none"> ▷ Communication skills ▷ Specialised in sexual offences, particularly child victims ▷ Have knowledge of child abuse, child development and needs of children |
| Legal services | <ul style="list-style-type: none"> ▷ Knowledge of Children’s Act, Sexual Offences Act, Domestic Violence Act ▷ Victims should have access to a service 24 hours a day |
| Volunteers at police stations | <ul style="list-style-type: none"> ▷ Training ▷ Listening skills |

This group of participants were vocal in their enquiries about the tardiness of SAPS to appoint more forensic social workers and held up the Western Cape as a positive example.

Most groups agreed that the **personal qualities** that are relevant to all different role-players are that these should be people with empathy, compassion and patience. Other qualities mentioned for SAPS investigators were that they should be caring, friendly, committed and sensitive to gender, language and culture and non-judgemental. They should also have a passion for working with children and be prepared to build relationships. Social workers should additionally have passion, good ethics and be non-judgemental. Medical staff should additionally be gender sensitive and gentle. Volunteer counsellors should additionally be understanding and caring.

What resources should the above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? |
|---|---|
| Social workers | <ul style="list-style-type: none"> ▷ Referral lists ▷ Victim-friendly offices ▷ Vehicles ▷ Cellphones |
| FCS SAPS | <ul style="list-style-type: none"> ▷ Victim-friendly/child-friendly offices ▷ Vehicles ▷ Cellphones |
| Prosecutors | <ul style="list-style-type: none"> ▷ Specialised courts |
| Medical staff | <ul style="list-style-type: none"> ▷ Financial and medical resources ▷ Child-friendly facilities |

All of the above categories of FCS service providers should be given regular debriefing. In addition, SAPS and social workers should have adequate supervision and should be networked.

General comments on defining high-quality services

Three further comments were raised about the provision of high-quality services. First, there was concern that cases were not followed up and that this could possibly be put down to bribery. Secondly, there was concern about the withdrawal of cases by prosecutors citing insufficient evidence, when on the face of things, there was sufficient evidence for the matter to go to trial. Finally, dismay was expressed about the conviction rate in a place like Soweto, which had all the resources required to render a good service.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Before the restructuring the victims of the following crimes received FCS services:

- ▶ All sexual offences, both for adults and children
- ▶ Child abuse and neglect
- ▶ Victims of the Domestic Violence Act, but the exact crimes emanating from this legislation was not made clear
- ▶ Family Violence, but again what exactly this comprised of was not made clear
- ▶ Offences in terms of the Films and Publication Act.

It is also possible (the data is not clear) that some areas such as West Rand and Springs only dealt with child abuse and sexual offences.

Workshop participants gave a rather fractured sketch of the scenario after restructuring. One group stated that the types of cases remained unchanged after restructuring and another group stated that everything in the mandate was

included in the FCS services. Another group admitted that services were not consistent across the province and that victims were sent elsewhere since some stations did not offer child abuse services. The West Rand seemed only to offer a service to child victims.

Which police officials provided services before the SAPS restructuring and at the current time?

Before restructuring, FCS services were provided by all ranks within the FCS Units. Post restructuring, FCS services were provided by a range of different SAPS officers irrespective of rank or specialised training.

Accessibility of services to victims in terms of location and areas of operation

Workshop participants were unanimous that before the restructuring, services were geographically accessible to victims residing within certain areas, e.g. West Rand, Springs, East Rand and the far East Rand, as well as Braamfontein, and for those who did not reside close by, the public was directed to user-friendly areas where all the services were rendered. Moreover, services were coordinated, standby lists were available, contacting role-players was easy – only 1 telephone number was needed – and communication between the multi-disciplinary role-players was well established throughout the life span of each case. In addition, there was consistency in terms of who was investigating a case.

The restructuring seems to have undone all of the above. Workshop participants commented that the idea behind the restructuring works well on paper in that services should now be easier to access, but in reality victims are sent from pillar to post except where there is still a ‘Unit’ in the same locality. In addition, the referral networks seem to have disintegrated. As far as SAPS services are concerned, trained child-abuse personnel have been moved; there is no consistency with the investigation officer of a case and investigating officers are not available when needed most of the time. This lack of coordination and communication results in the retardation of services and poor feedback to victims.

Availability of resources for the provision of these services

Detectives

Prior to restructuring there were enough detectives, particularly in Johannesburg, Soweto, West Rand and Springs. Post restructuring there are not enough detectives and victims are often turned away or else attended to by a SAPS officer without training. In Johannesburg and Soweto, there have been more appointees recently which has restored the 24-hour service, but in other areas such as the West Rand and Springs, other role-players do not seem to know who the appropriate SAPS FCS service providers are anymore.

Vehicles

Both before and after the restructuring vehicles were in short

supply, varying from station to station.

Victim-friendly facilities and other equipment (phones, computers, etc.)

Prior to the restructuring, all designated FCS Units had all the necessary facilities, but post restructuring, victims who report to venues other than where the previous Units were located have to do without victim-friendly facilities.

Skills and personal qualities of detectives

Before restructuring, those who rendered an FCS service were trained, skilled and specialised in dealing with child abuse. The exception mentioned regarding skilled service providers was the service offered in Springs *after the expansion of the Child Protection Unit*. Post the restructuring the service is rendered by all normal SAPS personnel and those who have been allocated to do FCS work, irrespective of their training, skills levels or even interest in FCS work. Moreover, networking structures have fallen apart. In the past, resource lists were available and service providers networked well with the relevant role-players.

Workshop participants stated that prior to the restructuring the service was provided *on the whole* by an empathetic, compassionate and committed cadre of service providers, except in Springs where there was always a large turnover of staff after the expansion of the Child Protection Unit. Post the restructuring, the volume of work has decreased for SAPS officials, but they are apathetic, demotivated and demoralised. There were exceptions to the rule depending on personalities, as was the case in the past.

Strengths and weaknesses before and after the restructuring

Key strengths that were highlighted regarding services provided under the previous model included:

- ▶ Team cohesion
- ▶ No need to share resources outside of the Unit
- ▶ Centralised phone number
- ▶ Established networks
- ▶ Standard procedures, and clear expectations and duties, and a clear protocol in the management and handling of cases
- ▶ Trained, committed and compassionate officers
- ▶ A 24-hour service.

The main areas of weakness of FCS prior to the restructuring were:

- ▶ High caseloads and sometimes not enough staff to deal with cases
- ▶ High levels of stress and burnout
- ▶ Lack of transport
- ▶ Not enough debriefing
- ▶ Docket losses in Midrand, and cases not being properly investigated.

The strengths of the restructuring have been:

- ▶ A quicker service
- ▶ Smaller case loads
- ▶ Lower stress levels
- ▶ A 24-hour service
- ▶ Community monitoring and CPF and youth desk involvement.

However, the weaknesses are:

- ▶ Lack of trained personnel
- ▶ Lack of vehicles
- ▶ No provincial coordination
- ▶ Lack of networking and communication
- ▶ Sharing of resources results in friction
- ▶ Conflicting expectations and confusion over roles and responsibilities
- ▶ Collapsed inter-sectoral networks
- ▶ Decreased accessibility at stations where no trained members and the station does not know where to refer the victim to
- ▶ Insensitivities to victims, e.g. staff have to wear uniforms at the station
- ▶ FCS services have a poor image in the community.

In the plenary session, some very place-specific concerns were raised:

- ▶ On the West Rand, skilled FCS officers were doing general detective work, e.g. burglary and robbery, and victims were losing out on their expertise
- ▶ At the Rabie Ridge Police Station there were no records of 12 cases reported at that station.

- ▶ FCS services used to be very accessible in Soweto, but less so after the restructuring.
- ▶ In Springs, Form 4s are being issued by a volunteer.
- ▶ In Alexandra, if you phoned the station you were given a cellphone number that wasn't answered. There were services in place but no specialised staff.
- ▶ Cases emanating from the old Krugersdorp FCS Unit, now reconfigured into Krugersdorp and Roodepoort, have seen a loss of continuity in investigating officers for victims already in the system, resulting in further traumatisation.

Finally, in plenary the SAPS were vocal about the need for 24-hour social worker availability for FCS services.

Monitoring FCS Services

The issues raised in the plenary discussion, not captured in the above Table, relate to training, monitoring of case management and the role of NGOs to inform society. First, SAPS needs to focus on training, both of the detective and uniform branch. To ensure that enough staff are trained, SAPS should identify people at station level who should be trained.

Case management, which includes cycle times and quality of service should be monitored. Here the NPA can help, since they know when there has been a failure of investigation.

NGOs need to be far more proactive in reporting statistics and campaigning for improved services in their area. As non-state role-players, NGOs are well placed to assist with monitoring of the professionalism of and adherence to protocols by SAPS.

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|---|---|---|--|
| FCS SAPS | | | |
| ▷ Attitude | ▷ No rudeness | ▷ Training courses | ▷ FCS command structures, station commissioner ▷ NGOs and the community for all these aspects |
| ▷ Atmosphere | ▷ Child and victim friendly; sensitivity and ethos of service delivery | | |
| ▷ Statement-taking | ▷ Cooperative staff | | |
| ▷ Success rate | ▷ Crime reports and conviction rates correspond | | ▷ NPA |
| ▷ Cycle time | ▷ Paperwork complete and correct | ▷ Information sheet | |
| ▷ Feedback | ▷ Feedback to victims and role-players | | ▷ Independent Complaints Commission and GPAC |
| ▷ Training | ▷ Knowledge and performance levels improved. Cycle times improved | | ▷ Independent Complaints Commission and GPAC |
| ▷ Service delivery minimum standards | ▷ Codes of conduct and ethics, protocols, policies and best practice models | ▷ Research ▷ Conferences ▷ Suggestion boxes (e.g. Parkview Police Station) | ▷ Station Commissioner, Department of Safety and Security and NPA. Also NGOs. |
| ▷ Professionalism | ▷ Decreased level of corruption ▷ Quality statements ▷ Databases | ▷ Victim feedback ▷ Docket inspections ▷ Stats ▷ GPAC ▷ Forums ▷ Surveys | ▷ Station Commissioner, Department Safety and Security and NPA. Also NGOs |
| Social Workers (NGO services) | | | |
| ▷ Case management, including regular communication with victims | ▷ Case conferences ▷ Reports ▷ Action plans ▷ Evaluation forms | ▷ Annual reports ▷ Quarterly reports ▷ Business plans ▷ The media | ▷ Department of Social Services |

KWAZULU-NATAL

Introduction

The KwaZulu-Natal workshop was held with 33 participants in Durban on 10 October 2007. Most participants come from Durban and Pietermaritzburg. Regrettably the SAPS did not send representatives to this workshop, but the Departments of Education, Health, Social Development and Corrections each sent a small contingency. There was also a representative from the Thuthuzela Centre, as well as from the Ethekweni Health Unit. The NGO sector was well represented.

The workshop dealt with the following main issues:

- ▶ Defining high-quality services
- ▶ A comparison of FCS before and after the restructuring
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|---|
| Sexual offences (adults and children) | <ul style="list-style-type: none"> ▶ Transport should be provided to medical facility, home and to court ▶ Statements should be taken in a private consulting room only by FCS staff ▶ Intensive investigation to identify the perpetrator ▶ To avoid loss of evidence, ensure all evidence gathered within 24 hrs ▶ Immediate response for more serious sexual offences ▶ Ensure that the trauma unit is used for statement-taking, debriefing, counselling ▶ Female officer to assist with cases ▶ FCS on standby at police station or hospital ▶ Police, trauma counsellors and social workers to work as a FCS team ▶ Referral to shelters for safe care ▶ Keep victim informed of progress of case ▶ A quick response will avoid a murder ▶ SAPS need to know how to handle crime kits in the cycle |

| | |
|-------------------|---|
| Domestic Violence | <ul style="list-style-type: none"> ▶ A resource directory should be available to ensure referral between role-players ▶ Survivor should be the focal point ▶ Only trained officer should be in charge of these cases ▶ Assist with protection order ▶ Remove the perpetrator ▶ Move victim to safe place to provide back-up and operations service to social workers ▶ Police, trauma counsellors and social workers to work as a FCS team ▶ Keep victim informed of progress of case ▶ A quick response will avoid a case of murder ▶ Refer families to programmes e.g. anger management, budgeting, etc. |
| Child Abuse | <ul style="list-style-type: none"> ▶ Make use of the tracking system ▶ Intensive investigation to identify the perpetrator ▶ To avoid loss of evidence, ensure all evidence gathered within 24 hours ▶ FCS on standby at police station or hospital ▶ Child to be debriefed in playroom ▶ Once statement is taken counselling must be provided ▶ Remove the perpetrator rather than the child ▶ Move victim to safe place to provide back-up and operations service to social workers doing Form 4 ▶ Police, trauma counsellors and social workers to work as a FCS team ▶ Keep victim informed of progress of case |

In addition to these activities that are crime specific the participants added the following general cautions:

- ▶ Police stations must be user-friendly.
- ▶ There should be an on-going process of supervision and assessment of the quality of skills.
- ▶ Cautious in-service training and training of all new officers, particularly regarding new legislation, should be conducted so that these cases are handled by properly trained and sensitised staff.
- ▶ Emergency services should be able to differentiate between critical and emergency cases.
- ▶ Doctors should be specially trained to conduct such examinations.
- ▶ Protection services should be made available to social workers and parents of very violent or disturbed parents
- ▶ FCS should lobby for victims of murderers.
- ▶ SAPS should have technical support to investigate child pornography.
- ▶ The tracking system should be improved.
- ▶ Police should be skilled to understand under which circumstances to remove the perpetrator or the victim.
- ▶ Trafficking should be part of SAPS mandate and they should receive specific training on how to deal with foreigners and sex workers.
- ▶ If the computer system is down the OB number can be used instead of letting the victim wait for a CAS number.

The IO needs to make an affidavit that the OB number and CAS number are linked.

- ▶ If possible victims should see a social worker before speaking to the public prosecutor. There should not be a rush to close a docket.

In which places/locations should the above FCS services be provided?

Four groups stated that the service should be permanently available at all police stations, as the stations are too spread out for anything less. Skills should be available at each cluster. The following police stations were mentioned requiring services: Amanzimtoti, KwaMakhutha, Umlazi, Phoenix, Kwa-Mashu, Chatworth and Mayville. It was felt that the level system both caused too much delay and created confusion as to whose responsibility each case would fall to. In addition, two groups felt that every police station should have a Thuthuzela Centre, with one person dealing with each case for consistency.

However, participants cautioned that the FCS area should be removed from the rest of the station and detective area to avoid long queues. In addition, the FCS area should be visible and identifiable.

One group felt that the service should, in addition to being at all SAPS stations, also be available at all hospitals, while another felt that the service should be available all safe havens.

Lastly, one group noted that medical services should rather be provided at local hospitals or clinics than from the district surgeon in the area.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--------------------------------------|---|
| Detectives | <ul style="list-style-type: none"> ▶ Statement taking ▶ Paralegal skills ▶ Knowledge of available resources ▶ Collection of evidence ▶ Know about bail application ▶ Professionally skilled ▶ Good communication skills ▶ An understanding of the cultural context of victims |
| All FCS members | <ul style="list-style-type: none"> ▶ Sympathetic/good listening skills/communication skills/confidentiality training/specialised training on statement taking/sensitivity training for children and victims with mental disabilities. |
| SAPS charge office staff | <ul style="list-style-type: none"> ▶ Sensitivity training and principles of Batho Pele ▶ Writing skills ▶ Able to take proper statements ▶ Able to refer to appropriate services |

| | |
|--|---|
| Social Workers | <ul style="list-style-type: none"> ▶ Counselling skills, forensic assessment ▶ Good communication skills ▶ Skills to work with vulnerable children ▶ Understanding of cultural context of victims ▶ Know referral procedures ▶ Protocol and procedures & legislatives ▶ Debriefing and crisis intervention skills ▶ Available 24 hours a day ▶ Ongoing therapy ▶ Social support ▶ Court preparation ▶ Provide comfort and calm a few days after the event |
| Medical personnel | <ul style="list-style-type: none"> ▶ Qualified and trained in forensic medicine ▶ Know protocol and know legislation ▶ Diagnostic skills ▶ Communication skills ▶ Trauma debriefing skills ▶ Listening skills |
| Counsellors | <ul style="list-style-type: none"> ▶ Empathy – listening skills especially trained in rape trauma. ▶ Domestic violence, child abuse & neglect, HIV/Aids training, VCT counselling ▶ Trauma debriefing skills/good communication skills/confidentiality/training/integrity management |
| Site coordinator/victim support person | <ul style="list-style-type: none"> ▶ Trauma debriefing/administrative skills/organisational skills and communication skills ▶ HIV counselling/trauma debriefing/communication skills. |

Empathy is the word that all participants used to describe the *personal quality* that all the different FCS role-players should have. All FCS role-players who provide counselling and debriefing needed to be open, understanding, objective, sensitive, non-judgemental and even physically supportive. In addition, all should have the utmost regard to confidentiality.

In addition, the following personal qualities were required for the following categories of service providers: FCS members and detectives are required to also have patience and compassion. And all SAPS staff, particularly in the charge office, should have impeccable ethics and be people of integrity.

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? |
|---|--|
| Social workers | <ul style="list-style-type: none"> ▷ Subsidised vehicles ▷ Women empowerment courses, trauma aid healing courses, parenting courses, budgeting and communication skills ▷ Anger management, stress management ▷ Danger allowance ▷ Material aid |
| FCS SAPS | <ul style="list-style-type: none"> ▷ Management systems ▷ Uniform protocols ▷ Facilities for ID parades ▷ Internet ▷ Vehicles ▷ Stationery ▷ Crime kits ▷ J88 ▷ Interview room ▷ Forensic social workers ▷ Victim-friendly officers ▷ Fingerprint unit ▷ Photographic assistance ▷ Technical support . |
| SAPS | <ul style="list-style-type: none"> ▷ Trauma room ▷ Sufficient transport |
| NGOs | <ul style="list-style-type: none"> ▷ Infrastructure ▷ Training & mentorship ▷ Tracking & monitoring systems ▷ Technical support vehicle ▷ Communication systems ▷ Record-keeping systems |
| NPA and Justice | <ul style="list-style-type: none"> ▷ Specialised courts |

In turn the following resources should be made available to the service providers:

- ▶ Debriefing
- ▶ On-going training
- ▶ Mentorship, particularly for NGO staff
- ▶ Inter-sectoral feedback and networking in order to offer the best service.

General comments on defining high-quality services

Workshop participants highlighted a further few areas that caused concern. First, that the system should be transparent, free from corruption and preferential treatment. Secondly, that FCS should be proactive in responding to localised crime trends. Thirdly, that trauma centres should be able to provide basic food to victims and that transport should be made available from Thuthuzela centres. Lastly, that all should lobby for shelters for child and adult victims to give them a place 'for time out without statutory intervention.'

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Before restructuring the following victims received FCS services: Child victims of sexual offences, physical abuse, abandonment and neglect, abduction and pornography and trafficking.

In certain FCS Units, e.g. Durban North, adult victims of sexual offences also received a service. There also seemed an uneven service provided by FCS Units with regard to Domestic Violence.

After restructuring, the service is extended to child and women victims of:

- ▶ Sexual offences, except that the service to adults in the Umlazi cluster seems only to be provided by specialised FCS detectives at Umlazi itself and by the general detectives at other stations attached to the Umlazi cluster.
- ▶ Assault in the same way as before the restructuring.
- ▶ Domestic violence and everything pertaining to family violence.
- ▶ Child neglect.

Which police officials provided services before the SAPS restructuring and at the current time.

Before restructuring, child victim cases were dealt with by experienced officers. Pornography and trafficking were dealt with by specialised FCS personnel.

Child neglect was dealt with by experienced SAPS staff, although not attached to the FCS Unit.

Domestic violence is investigated by all available officers irrespective of rank. In Ladysmith there was a female captain.

In Bergville any police officer on duty took the cases.

Post restructuring, participants mentioned the following:

- ▶ Umlazi cluster fell under a Captain.
- ▶ Wentworth seemed not to have any specialised FCS staff.

Accessibility of services to victims in terms of location and areas of operation

The responses to this question seemed to be determined by area.

The following areas were inaccessible, lacked involvement and with high case-loads prior to restructuring, but improved from the restructuring process:

- ▶ Kwa-Mashu
- ▶ Umlazi
- ▶ Amanzimtoti
- ▶ Durban South
- ▶ Mobeni

However, although response time and attendance and transport improved, follow-up has remained poor and male officers show lack of compassion.

The following areas were accessible both before and after restructuring:

- ▶ Sherwood
- ▶ Mayville
- ▶ Umlazi

Areas that suffered from the restructuring are:

- ▶ Pietermaritzburg – previously accessible
- ▶ Ladysmith, which previously worked well but now have to service a huge area and are thus overloaded with cases.

Availability of resources for the provision of these services

Resources *before* restructuring were as follows:

Detectives

Staff shortages and huge case loads in some areas, adequate in others, e.g. Pietermaritzburg.

Vehicles

A shortage of vehicles.

Victim-friendly facilities

No volunteers and counsellors in Umlazi, but some facilities in Durban Magistrates Court and Scottsburg. In other areas no facilities were available.

Other equipment

No faxes and computers at KwaMakhutha, but resources such as offices, computers and phones were available to CP Units.

After restructuring, resource were available as follows:

Detectives

Still staff shortages in some areas but better in others: Umlazi and Phoenix have no trained detectives but 7 detectives. Pietermaritzburg is variable and Ladysmith has good staff but with huge caseloads.

Vehicles

Vehicles now used by all detectives. Limited or inappropriate vehicles, e.g. single cab bakkies with no canopies. Police in Wentworth will not transport a child out of the Wentworth area.

Victim-friendly facilities

Trauma Centres and counsellors at Umlazi, Newlands and Amanzimtoti. But in Wentworth the counsellors are untrained. There are also debriefing rooms available elsewhere.

Other equipment

Participants complained of not having numbers for places of safety and social workers. Phone facilities were limited. Umlazi has only one telephone line.

Skills and personal qualities of detectives

Before restructuring, CPU staff had moderate to very good specialised skills. They were patient (or reasonably so) committed and aware of the mindsets of abusive husbands and paedophiles.

After restructuring, new FCS staff are untrained, unskilled and unprofessional, particularly in respect of removals and form 4 usage. Ex-CPU staff had moderate to good skills. Both categories were demoralised. Yet some participants mentioned that conviction rates were high.

Strengths and weaknesses before and after the restructuring

The key strength of the previous FCS model was that it created highly specialised units. Nonetheless participants regarded the principle behind the restructuring as a strength, i.e. making those specialised FCS services accessible to communities at local level. Areas like Kwa-Mashu improved under the restructuring.

Notwithstanding this, participants were critical, both of the manner in which the restructuring unfolded (the process) as well as the actual outcomes of it.

With regard to the *process*, the following criticisms were voiced: The process was mostly long (except for Durban where everything happened so quickly that people were left without telephones and Internet), and throughout the long drawn-out process, different things were said at different times to different people. In short, information about the restructuring process was sparse and confusing. Moreover, what communication there was came in the form of rumour. Again there is an exception, being Pietermaritzburg, where staff were kept informed, and thus could keep their inter-sectoral partners informed.

Participants also objected to the lack of proper consultation with any of the role-players. The upshot was that morale dropped and many skilled people were lost to the service.

With regard to the *outcome* of the restructuring, participants felt that the very people who they were trying to help – victims – had suffered most from the restructuring process. Since no clear instructions were made available at stations, victims suffered under this confusion. In addition, case dockets were being carried around between clusters, causing delays and ultimately the victim suffered from poor investigation, diminished feedback and often docket closures. Furthermore, the expertise of experienced staff was frequently lost to a station, and new staff were neither trained nor mentored. In Durban South student constables and constables deal with child rape. Another example given was Pietermaritzburg, where staff were deployed to two stations, one of which subsequently functions well, but the other not. In Brighton Beach, Montclair, Umbilo and Wentworth, rape cases were not being investigated by specialised staff. In Umlazi the police station makes little effort to contact FCS investigators.

In other instances, the venue from which FCS services were now made available was in fact less accessible to people using public transport.

Management of the FCS providers also came under the spotlight. Station commissioners with very little understanding of the needs of FCS service providers divided work and gave out orders that diminished the ability of FCS staff to provide the service that was required.

A final criticism of the restructuring outcome was that networks that had operated smoothly in the past were now in disarray. Inter-sectoral partners were now confused as to whom a victim should be referred. Health services in particular appeared to suffer, with victims sent to sit in long queues at the local district surgeon, whereas in the past they were sent to the children’s hospital.

Monitoring FCS Services

In addition to the above, the plenary session identified the following concerns and raised suggestions:

- ▶ The community social worker is currently the case manager, but what must be monitored is the medical follow-up for the child. This must be linked up to the

counselling process at Childline. Community social workers can assume some responsibilities for monitoring.

- ▶ Effectiveness must be monitored: was there an arrest, was statement taken properly, was there trauma counselling, does the victim have info on counselling services? Access to information, ensuring that the family has a clear knowledge of the process throughout. The suggestion was made to use case conferences to collect information on all different aspects.
- ▶ It was suggested that the provincial project oversight committee set up by the NPA which deal with sexual offences are the people who can monitor sexual offences. This committee consists of government and non-governmental role-players. They should initiate monitoring and appoint people with the authority to do so.
- ▶ It may be necessary to develop a monitoring template for the police, which could be used at different levels, so that people know what must be monitored. Different people can collect different information.

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|--|---|---|--|
| FCS SAPS | | | |
| <ul style="list-style-type: none"> ▷ Feedback to victim/family of victim, preferably by family liaison officer ▷ Statement taking | <ul style="list-style-type: none"> ▷ Understanding and knowledge of process and partners | <ul style="list-style-type: none"> ▷ Communication networks | <ul style="list-style-type: none"> ▷ FCS, hospital and other networking organisations ▷ SAPS, communication officers |
| <ul style="list-style-type: none"> ▷ Investigation process | | | |
| <ul style="list-style-type: none"> ▷ Cycle time, audit of compliance with protocols | <ul style="list-style-type: none"> ▷ Set time ▷ Frames, e.g. 24 hours | <ul style="list-style-type: none"> ▷ CAS no, dockets, SAP 13, register, lab forensic register | <ul style="list-style-type: none"> ▷ Stakeholders forum, SAPS |
| <ul style="list-style-type: none"> ▷ Effectiveness | <ul style="list-style-type: none"> ▷ Arrest, statement taking and dealing with victim | <ul style="list-style-type: none"> ▷ Batho Pele principles | |
| FCS SAPS & NPA | | | |
| <ul style="list-style-type: none"> ▷ Conviction rate ▷ Secondary victimization | | <ul style="list-style-type: none"> ▷ Charge sheet ▷ Victim questionnaires ▷ Docket audit | <ul style="list-style-type: none"> ▷ NPA |
| FCS i.t.o Medical Services | | | |
| <ul style="list-style-type: none"> ▷ Compliance with protocol ▷ Cycle time from reporting to examination | | <ul style="list-style-type: none"> ▷ Patient register and files | <ul style="list-style-type: none"> ▷ Department of Health |
| Social workers, psychologists, counsellors | | | |
| <ul style="list-style-type: none"> ▷ Service delivery i.r.o. follow-up, assessments and debriefing ▷ Court preparation ▷ Number of facilities accredited ▷ Skills assessment | | <ul style="list-style-type: none"> ▷ Internet, email, phone and fax | <ul style="list-style-type: none"> ▷ All role-players providing this service |
| All role-players | | | |
| <ul style="list-style-type: none"> ▷ Awareness workshops regarding DV and Sexual offences ▷ HIV counselling training | <ul style="list-style-type: none"> ▷ Effective service delivery | <ul style="list-style-type: none"> ▷ Communication networks | <ul style="list-style-type: none"> ▷ All role-players |

LIMPOPO

Introduction

The Limpopo workshop was held in Polokwane on the 31 October 2007. It was co-hosted by Childline Limpopo. The 25 participants who attended represented a range of different stakeholders. Government was well represented, with 13 members of the Department of Social Development, and 7 members of SAPS of which 4 were attached to the FCS. There was a small contingency from each of the Departments of Justice and safety and Security, as well as from the National Prosecuting Authority and the NGO sector.

Most participants were based in Polokwane.

The workshop dealt with the following main issues:

- ▶ Defining high-quality service
- ▶ A comparison of FCS services before and after the restructuring
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Four working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|--|--|
| All sexual offences including rape, indecent assault, incest and 'sexual abuse' against children | <ul style="list-style-type: none"> ▶ Specialised investigator dealing only with sexual offences ▶ Ongoing information on the status of the case ▶ Referral to counselling and support services ▶ Strengthen the support system ▶ Court support ▶ Access to specialised court ▶ Specialised prosecutors ▶ Intermediary services ▶ Access to specialised 'district surgeon' for medical examination ▶ Properly completed J88 forms ▶ Forensic social workers ▶ Multi-disciplinary team ▶ Ensure the safety of the victim ▶ Access to shelters ▶ Food and material needs |

| | |
|--|--|
| All sexual offences against adults | <ul style="list-style-type: none"> ▶ Specialised investigator dealing only with sexual offences ▶ Information on the status of the case ▶ Counselling ▶ Court support ▶ Access to specialised court ▶ Access to specialised 'district surgeon' for medical examination ▶ Forensic social workers ▶ Specialised prosecutors ▶ Multi-disciplinary team ▶ Intermediary services to mentally disabled complainants |
| Domestic violence (Assault, Crimen injuria, Damage to property) | <ul style="list-style-type: none"> ▶ Privacy ▶ Specialised investigation ▶ Constant information on the status of the police case ▶ Ensure safety of victims ▶ Social workers to help with family counselling ▶ Referrals to counselling for the victim ▶ Medical attention ▶ Specialised prosecutors ▶ Multi-disciplinary team ▶ Assistance with accessing protection orders ▶ Assistance with maintenance ▶ Conviction of perpetrator ▶ Crime awareness campaigns to give information on all components of FCS services ▶ Access to accommodation and shelters |
| Crimes against children (Neglect Physical abuse Abandonment Child labour Child pornography Abduction Kidnapping Child Trafficking) | <ul style="list-style-type: none"> ▶ Specialised investigation ▶ Information on the status of the case ▶ Access to medical examination ▶ Referral for counselling and support and strengthening the child's support system ▶ Ensure safety of the child ▶ Accommodation, meeting the material and educational needs of neglected children ▶ Access to accommodation and shelters where necessary ▶ Technical training and skills to deal with investigating child pornography on the Internet ▶ Specialised prosecutors ▶ Awareness raising regarding trafficking and child labour ▶ Access to counselling, medical care and education for children who have been trafficked or involved in child labour ▶ General awareness raising regarding offences against children |
| Child Care Act Implement provisions in the Child Care Act. | |
| All cases as per the FCS mandate | <ul style="list-style-type: none"> ▶ Completion and update of Form 25 ▶ Proper communication channels between responsible service providers ▶ Commitment from all service providers ▶ Role clarification of various service providers and service providers taking responsibility for their particular role |

In which places/locations should the above FCS services be provided?

The following options were proposed by groups at the workshop:

- ▶ Every cluster must have an FCS unit, but specialised

individuals must be identified in far-off places which are not served by an accounting station.

- ▶ Services should be located at victim-friendly support centres. These should not be located at or too close to police stations as these have negative connotations.
- ▶ One-stop centres based at clinics in rural areas and police stations where there are victim-friendly offices.
- ▶ In the police station in a separate block that is victim- and child-friendly. Each station in a cluster must have an FCS.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills should they have? |
|--------------------------------------|--|
| Specialised detectives | <ul style="list-style-type: none"> ▶ Interviewing and communication skills ▶ Listening skills ▶ Counselling skills ▶ Investigation skills ▶ Good statement-taking skills ▶ Specialised FCS training |
| Social workers | <ul style="list-style-type: none"> ▶ Interviewing and communication skills ▶ Counselling skills ▶ Assessment to assist with investigation ▶ Training regarding FCS matters and processes ▶ Report-writing skills ▶ Ability to take a victim impact statement ▶ Expert witness skills ▶ Provide moral support |
| Medical Officers | <ul style="list-style-type: none"> ▶ Knowledge relating to FCS-related abuses ▶ Knowledge on completing the J88 properly and accurately ▶ Expert witness skills ▶ Medical degree |
| Forensic nurses | <ul style="list-style-type: none"> ▶ Knowledge on completing the J88 properly and accurately ▶ Expert witness skills |
| Nurses | <ul style="list-style-type: none"> ▶ Writing skills |
| Intermediaries at court | <ul style="list-style-type: none"> ▶ Communication skills |
| Specialised prosecutors | <ul style="list-style-type: none"> ▶ Interviewing and communication skills ▶ Counselling skills ▶ Training on FCS matters and Sexual Offences ▶ Specialised knowledge of laws regarding FCS ▶ Two years experience or more |
| Magistrates | <ul style="list-style-type: none"> ▶ Specialised sexual offence courts magistrates ▶ Two years experience or more ▶ Sexual offence skilled |
| Psychologists/psychiatrists | <ul style="list-style-type: none"> ▶ Expert witness skills ▶ Counselling ▶ Report writing ▶ Investigation and assessments |
| Teachers | <ul style="list-style-type: none"> ▶ Prepared to work under difficult circumstances |

In addition to these skills, all of the above role-players should have a deep commitment to their work as a primary personal quality. A further personal quality required of specialised FCS detectives is that they should have empathy for the victims that they are dealing with.

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? | What other kinds of support do they need? |
|---|--|--|
| Detectives | <ul style="list-style-type: none"> ▶ Playrooms ▶ Interview rooms ▶ Offices separate from the police station ▶ Victim-friendly offices ▶ Trauma centres at police stations ▶ Facilities for bathing ▶ Enough personnel ▶ Human and physical resources | <ul style="list-style-type: none"> ▶ Regular debriefing ▶ Management support |
| Public prosecutor | <ul style="list-style-type: none"> ▶ Specialised courts with all resources such as cameras for sexual offences ▶ One such court in each cluster ▶ Transport to court | <ul style="list-style-type: none"> ▶ Debriefing |
| Intermediary | <ul style="list-style-type: none"> ▶ Specialised courts ▶ Camera system | |
| Social workers | <ul style="list-style-type: none"> ▶ Victim-friendly offices ▶ Personnel and resources | <ul style="list-style-type: none"> ▶ Debriefing |
| Forensic social workers | <ul style="list-style-type: none"> ▶ Offices ▶ Equipment to enable the assessment of children and victims | |
| Correctional services | <ul style="list-style-type: none"> ▶ Rehabilitation services | |

General comments on defining high-quality services

It was noted by one of the groups that elements of quality service include investigation, evaluation and emotional support. Basic standards must be followed and include the involvement of all different role-players.

Types of cases

It was agreed that all sexual offences whether against children or adults and all forms of child abuse including pornography, trafficking and labour must be addressed by specialised police. It was also noted that specialisation is required in domestic violence cases.

Service providers

A range of service providers were identified as being essential to the process of investigating FCS matters, which include:

- ▶ Forensic social workers for assessments and court reports
- ▶ Doctors to complete the J88 efficiently
- ▶ Specialised, dedicated healthcare workers
- ▶ Specialised public prosecutors
- ▶ Specialised police members who are able to take efficient, quality statements
- ▶ Intermediaries are needed in courts. Currently access to the intermediary system is limited. Concern was raised that six-year-old children in the province are testifying in court without intermediaries.

Collaboration and referral

It was noted that greater clarity is required regarding the roles of different role-players, so as to ensure that service providers have realistic expectations of the service that each of the roleplayers are able to render. Of particular note was the need to strengthen referral systems to stakeholders such as social workers. Systems of communication with other service providers were highlighted as essential.

Medical services

There is a need for the appointment of district surgeons at hospitals, with the necessary specialisation. Medical officers are not completing the J88 form properly as they don't want to commit themselves to the case and to testifying in court.

Sexual Offence Courts

A sexual offence court must be established. Permanent intermediaries must be appointed. A psychologist must be employed to assist with cases with mentally disabled patients.

Counselling and therapy

The need for counselling and therapeutic services to victims by specialised, skilled social workers was raised. It was noted that this must be complemented by strong referral systems.

Skills

In addition to the skills identified in the groups, the plenary discussion further elicited the need for skills to deal with the needs of traumatised victims; skills to assist in drawing out the details of an experience of rape and abuse from a child, as well as the ability to manage the impact of this trauma on the child during that process. Lastly police and prosecutors should have knowledge and understanding of the different types of perpetrators of sexual offences and the different motivating factors.

Qualities

A number of personal attributes and qualities were identified during the plenary discussion as necessary for people working with cases of this nature. These include:

- ▶ Passion
- ▶ Patience
- ▶ Empathy
- ▶ The ability to relate to children and be 'child friendly'

- ▶ To work under pressure for long hours
- ▶ Being presentable

Resources and support

The necessity that people specialising in these services must receive recognition and remuneration relative to the specialised nature of the work was strongly emphasised by the workshop participants. These people must be respected by colleagues and the institutions for whom they work.

In order to deliver quality services to child victims, there is a need for sufficient staff and transport, victim-friendly offices, administrative materials and accessible forensic social workers. The ability to communicate in the language of the child too is necessary.

In addition to the above, the need for one-way mirrors for conducting identity parades, and anatomically correct dolls and training in their use were specifically mentioned.

It was raised that management must understand the requirements and processes of the FCS environment broadly, and that debriefing services must be available and accessible to officials.

A point was raised that prosecutors in bigger cities are paid at a higher level than their counterparts in smaller cities. The example was given of prosecutors in Johannesburg that are paid at a higher level than those in Polokwane.

Awareness-raising

The necessity for awareness-raising in rural areas about the laws and the services of the criminal justice system was raised in order to increase reporting of these offences.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Three groups indicated that previously the FCS units only provided services to children under the age of 18 in relation to a range of different offences and that subsequent to the restructuring, services were extended to sexual offence matters involving an adult complainant and intra-familial crimes such as domestic violence. One of these groups referred specifically to the change from Child Protection Units to FCS services. It was noted that domestic violence and sexual offences against adults were dealt with by general detectives.

One working group indicated that there was no change in who received services prior to and after the restructuring and recognised that the crimes that are defined by the FCS mandate were receiving and have continued to receive services by FCS units and officials.

One group noted that while the nature of the crimes did not change, a greater number of victims of these crimes subsequently had access to specialised services as a result of the restructuring, making services available in areas that had not previously been served.

Which police officials provided services before the SAPS restructuring and at the current time?

Groups indicate that prior to the restructuring, services were being delivered to children by specialised FCS unit members or CPU officials ranging in rank from constables to inspectors. One group noted that constables needed 2 years of experience in order to be able to manage FCS cases.

One group noted that services were delivered in most sexual offence cases against adult and domestic violence cases by community service centre officials and general detectives but that cases of children were managed by FCS unit members. This group also noted that child pornography and Films and Publications Act crimes were delivered by FCS unit members prior to the restructuring.

Subsequent to the restructuring, groups noted that services were delivered either by FCS unit members or specialised individuals who are located at police stations.

Accessibility of services to victims in terms of location and areas of operation

It was noted that services in the province have remained more or less the same. Seven units are still situated in the same place. More change took place in May 2004 where four CPUs were developed into the seven FCS units. It was recognised that one unit is in a worse position than before; that the office is not conducive to services and not victim-friendly. This unit does still have access to vehicles and phones. The areas where there are no services are mainly parts of Mpumalanga that have been incorporated into Limpopo as of 1 November 2007. These areas will be served by FCS officials who will be trained in these specialist areas. Units will not be established in these areas, rather one or two members at station level will be strengthened. Improvements were noted regarding further assistance to the CPU in Thohoyandou and the introduction of specialised services in Sibisa which previously had no specialised services. The lack of resources such as victim-friendly environments was highlighted as a problem.

It was noted that although services will not be 100% effective, they are relatively good and there is an improvement. Units need between five and eight members, many do not have this capacity and for this reason some units are dealing only with the cases of children and are not able to fulfil the full mandate.

The system of working at cluster level was viewed as an improvement as the distances which previously had to be covered (travelling 100 km) are much closer and the services are thus closer to the people.

Generally FCS services have been available in the province, however, large distances between units resulted in poor coverage in many areas.

Respondents from social services indicated that there was and remains confusion as to where services were and are located. It was noted by SAPS members that at the time of the workshop the services were still in transition with respondents noting that services are 'hanging' in some areas.

An issue that is repeatedly raised by respondents is the fact that the restructuring addresses problems with the long distances that officials previously needed to travel in order to deliver services. It was noted that the cluster structure increases accessibility through limiting the area of operation for different units.

It was noted by some respondents that services were not accessible in rural areas before restructuring and have remained inaccessible subsequently.

Respondents who believed that services were and have remained accessible did acknowledge that the Greater Sekhukhune area and former stations from Mpumalanga were not served by FCS prior to restructuring, or at the time of the workshops. Respondents indicated that these areas can expect to be served by specialised individuals shortly after the date of the workshop.

Availability of resources for the provision of these services

Groups formed organically, with people from similar areas tending to work together. This has led to extremely different experiences of the different questions in different groups. This will relate to the specific area in which those individuals are operating and the extent of services in that area. It was noted at the beginning of the workshop that certain areas have never had FCS services, that in some areas, resources had improved and in others the burden on members had increased in terms of work load and limited access to resources.

Detectives

Different groups again responded very differently to this question. One group noted that the current situation is worse than previously as detectives are now expected to manage larger workloads. This was supported by another group that noted that there was no change and that there was previously and is currently a lack of 'manpower'. In contrast, the fourth group indicated that there was no change and that previously all units had been well equipped in terms of human resources and that this was still currently the case. It was noted that detectives were previously not supported and that access to FCS training after the restructuring represented an improvement. In a later response this group noted in terms of human resources that there were always few members deployed to FCS units and that they hope to see an improvement in allocation subsequent to the restructuring.

Vehicles

A change in the types of vehicles from vans to sedans was noted by one group as an improvement. Another group noted that there were sufficient resources before and after the restructuring. One group noted that while there had been a degeneration in resources, where previously enough vehicles were available this was no longer the case. The fourth group noted that there was previously a lack of vehicles and that this situation has not changed.

Victim-friendly facilities

All groups noted that there has been little change in the quality of victim-friendly facilities, available with few victim-friendly facilities in the province. It was noted that one-way glass was and is only available in Polokwane. The need for victim support packs, toys and anatomically correct dolls was also noted by one group to have been lacking prior to and subsequent to the restructuring.

Other equipment

Three groups agreed that there were previously insufficient computers, phones, cellphones and hand radios. One of the three noted that access to the computer mainframe was problematic previously and has remained problematic. One group indicated that they had sufficient offices, phones and computers prior to the restructuring but subsequently some offices were experiencing more problems due to reorganisation. This was so particularly for those further away from Polokwane.

Skills and personal qualities of detectives

Skills: One group noted that previously FCS members were well skilled but that general detectives had poor skills. The group noted that the situation is likely to improve as members are placed under FCS services. This was echoed by the two other groups that noted that skills were not particularly good previously but have been improved by better training subsequent to the restructuring. One group highlighted the change from CPU courses to ongoing training of FCS officials. It was noted that there is not enough interest in the specialist area relating to children at stations. It was also raised that members are needed in various areas and that posts are not filled in certain areas and this results in services not being rendered.

Personal Qualities: Groups answered this section differently: One indicated that attitudes, passion and commitment were and still are recognised. It was noted that prior to the restructuring, attitudes and commitment were always bad at station level but good at FCS units and that subsequent to the restructuring FCS unit members have remained committed to do the work with a good attitude towards the victims. One group raised that while there was commitment and good attitudes previously, some investigators are very demoralised as a result of current circumstances (this was the group that had experienced the negative shift in resources in the process).

Other comments

It was noted that the lack of specialisation at courts is a problem, resulting in cases that drag on for a long time. This group perceived that the courts functioned slightly better previously.

Strengths and weaknesses of services before and after the restructuring

Although this section was divided into strengths and weaknesses prior to and after restructuring, some groups simply noted this post restructuring.

The fact that children’s cases were previously given attention was raised as a strength. However, the associated weakness was that other victims did not receive specialised attention under the old model.

Subsequent to restructuring it was noted that the fact that a wider range of victims were given attention was a strength. It was also noted that the service subsequent to restructuring is more comprehensive with wider networking with stakeholders. It was felt that smaller service areas would result in better service delivery and that areas that previously had no services would be served.

The strengths and weaknesses described by one group relate to areas that previously had no FCS and other services. The strengths listed included:

- ▶ cases will be properly investigated
- ▶ the conviction rate is higher than it was before
- ▶ quicker finalisation of cases
- ▶ victims are free to testify in court because of the availability of protection, transport etc.
- ▶ abused victims are able to get counselling
- ▶ suspects can no longer get away in rape cases, especially if identity is undisputed because of DNA facilities.

This group listed associated weaknesses:

- ▶ The whole system brought the justice system into disrepute because cases were not properly investigated and this led to acquittal in court due to lack of evidence.
- ▶ Cases took long to be finalised.
- ▶ Victims feared being killed by offenders and did not come to court.
- ▶ Victims did not have access to social workers.
- ▶ DNA testing took too long.

The restructuring as a process

The process of restructuring had the following weaknesses: First, it impacted on members as follows:

- ▶ Before Jan 2006 some members of CPU/FCSs would be placed without consultation. This demoralised members and therefore had a negative influence on work performance.
- ▶ The process took too long and this demoralised staff and had a negative impact on service delivery.
- ▶ Members delivering services became (and are) burnt out as their functions were put on hold and posts have not been filled.
- ▶ Because of the talk of closing the units, station-based officials and all officials when liaising at police stations were being disrespected by general detectives and station management.

Secondly, management of the process was defective and had the following consequences:

- ▶ Station management has delayed rendering services.
- ▶ A level of understanding of these units and services is missing at station level. This was not covered in the process.
- ▶ The restructuring was not done in one step but gradually came on stream as stations became ready.

Thirdly, consultation and communication regarding the restructuring process was poor in that:

- ▶ There was lack of communication to other service providers with regards to FCS units.
- ▶ The initial plan was that members would be consulted, but the process happened too quickly and therefore consultation was abandoned.
- ▶ Messages were constantly changing and therefore FCS members and units were unsure whether they were to be managed by province or at station level. They were and are ready for constant change and comply with change. However, complaints are raised after the change happens.

Finally, the name change has not been effectively managed and has manifested in the following deficiencies:

- ▶ The process of changing the names of units from CPUs to

FCSs over the past ten years has been inefficient and has led to confusion.

- ▶ Service providers don't know what FCS means.
- ▶ Many police don't know what FCS means.
- ▶ Crime prevention took over all forums, and FCS has only recently become involved.

Monitoring of FCS Services

During the plenary discussion respondents highlighted the following key areas for monitoring: The number of cases reported and the quality of investigations. This included monitoring the numbers of cases referred to court and the number of cases finalised. In addition the length of time taken for cases to be finalised was highlighted. This included the time taken to get results of DNA tests, the number of cases pending and the length of time for finalisation of cases. It was raised that the number of postponements, the reasons for postponements and monitoring the number of awaiting trial prisoners could also provide important information. With regard to social workers, respondents raised that the number and quality of reports compiled by social workers and submitted to court should be monitored. The needs of victims were raised in terms of the victim's access to counselling and the quality. Feedback to victims on the progress of cases should also be monitored.

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|---|--|---|--|
| Cases against women and children, e.g. rape | <ul style="list-style-type: none"> ▷ Victims be given first preference at station ▷ Supporting of GCS Unit members ▷ Evaluation | Through the investigating officers' files | An independent agency |
| That everything that must be done is finished on newly reported cases | <ul style="list-style-type: none"> ▷ Case inspected by most senior member within 24 hours to ensure work is done. ▷ Complainant feedback | <ul style="list-style-type: none"> ▷ Computer system ▷ Provincial head | Unit commander, group leader or section leader |
| Number of court cases resulting in conviction and pending cases | <ul style="list-style-type: none"> ▷ Number of convictions ▷ Number of pending cases | <ul style="list-style-type: none"> ▷ Through the court ▷ Through the social worker at police stations | Senior public prosecutor/control prosecutor |
| Feedback to complainants | ▷ Informed complainant | SAPS | SAPS management |
| Professional investigation, statements, documents, evidence | ▷ Successful prosecution | SAPS | SAPS management |
| Functional activities of FCS units and specialised individuals | <ul style="list-style-type: none"> ▷ Properly functioning offices ▷ Training of members ▷ Inspections | SAPS | SAPS Provincial coordinator |
| Time taken to finalise cases in court | <ul style="list-style-type: none"> ▷ Number of postponements ▷ Reasons for postponements | Justice/SAPS | Justice/SAPS |
| Make sure that cases are reported to social workers in time. | <ul style="list-style-type: none"> ▷ The period that has elapsed since the incident. ▷ Number of cases referred by police | In the office of the social worker | Supervisor/director of social work office |
| Referral time to the social workers for report | ▷ Referral time to the social workers for report | | Social workers and SAPS |
| Time it takes to get DNA results | ▷ Time it takes to get DNA results | | SAPS and NPA |
| Time frame for finalisation of cases reported, e.g. above cases | ▷ Time frame for finalisation of cases reported, e.g. above cases | | NPA |
| Postponement of cases | ▷ Numbers of postponed cases and the reasons for postponements | From cases dockets | SAPS and NPA |
| Quality reports by social workers and submission to courts | <ul style="list-style-type: none"> ▷ Date of referees ▷ Canalisation | From supervisors of case dockets | Social work supervisor |
| Counselling to the victims | ▷ Progress reports from social workers | From social worker's case files | Social work supervisor |
| Cases that have been waiting long periods | <ul style="list-style-type: none"> ▷ Overcrowding in police cells ▷ Case dockets | <ul style="list-style-type: none"> ▷ From SAPS (dockets) ▷ Cell books ▷ Case register | Provincial office SAPS |

MPUMALANGA

Introduction

The Mpumalanga workshop was held in Nelspruit on 14 November 2007. Thirty-three people, mostly from Barberton, attended. The participants represented a range of different stakeholders as the following breakdown indicates: Department of Health; Department of Justice; Department of Home Affairs; the Family Advocate Office; and 7 members of SAPS, two of which were attached to the CPU. The remainder of the participants were from the NGO sector.

The workshop dealt with the following main issues:

- ▶ Defining high-quality service
- ▶ A comparison of FCS services before and after the restructuring
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|--|---|
| All sexual offences against children and adults including rape, indecent assault, incest and 'sexual abuse' against children. | <ul style="list-style-type: none"> ▶ Immediate attention ▶ Build relationships with children ▶ Networking and coordination with all stakeholders including hospitals, NGOs and SAPS ▶ Medical treatment ▶ Referral to relevant stakeholders ▶ Provide feedback about the case ▶ Protection ▶ Investigation should take place within the area where the victim lives ▶ One SAPS member manages the case from the point of reporting throughout the case, however they must only be responsible for the sensitive investigation of the matter and not for providing emotional support. ▶ Counselling should support the victim through the process from opening the case through to the court case. ▶ The need for emotional support and counselling was viewed as critical; this needs to be provided by social workers and psychologists ▶ Specialist forensic and other nurses and medical officers must manage the forensic evidence collection and treatment. ▶ Victim support centres and alternative/safe housing must be available |

| | |
|--|---|
| <p>Domestic violence (Assault Assault GBH Attempted Murder)</p> <p>There were different opinions as to the extent of domestic violence cases that should be included in the mandate. Some felt that all domestic violence cases must be addressed by FCS but others felt this was unrealistic because of the amount of time that would be spent on domestic violence matters would take resources away from other case.</p> <p>In addition one group noted that there are overlaps between different crimes taking place at family level and that coordination in investigation of all of these matters was best.</p> | <ul style="list-style-type: none"> ▶ Immediate attention ▶ Referral to relevant stakeholders and know the community ▶ Providing feedback ▶ Ensuring protection ▶ Provide correct information regarding domestic violence by being well informed on the DVA and protocol. ▶ There must be victim support services and places of safety, victims must be accompanied. |
| <p>Crimes against children</p> <p>All forms of child abuse Neglect Corporal punishment Kidnapping</p> | <ul style="list-style-type: none"> ▶ Build relationships with children ▶ Investigate within the child's area of living ▶ Coordinate with and referral to other stakeholders ▶ One SAPS member manage the case from the point of reporting throughout the case, however they must only be responsible for the sensitive investigation of the matter and not for providing emotional support. ▶ Counselling should support the victim through the process from opening the case through to the court case. ▶ Victim support and safe houses where necessary. ▶ Medical treatment by a specialised practitioner including forensic nurses ▶ Providing information and feedback ▶ Legal advice and information ▶ Protection |

In which places/locations should the above FCS services be provided?

Most groups agreed that the service should be available at local level at police stations, hospitals or victim centres. One group also suggested that courts could be the site of this service delivery. Respondents noted that children are often afraid of the police uniform and thus emphasis must be placed on safe, child- and victim-friendly facilities, which are private and specifically identified as victim-friendly zones.

It was agreed that where services could not be delivered at this level there should be prioritisation of areas based on the statistics and levels of FCS cases, e.g. the 'Presidential' SAPS station. One group suggested that information on where to access the service and who the relevant detectives are should be visible in all stations.

Two groups made suggestions regarding the areas covered

by police stations, one noting that the full service should be available at satellite stations and another suggested that mobile units would be appropriate in these circumstances.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--|---|
| Specialised detectives | <ul style="list-style-type: none"> ▷ Detective course and the FCS course ▷ Necessary knowledge and skills to work with sexual offences and with children ▷ Knowledge of relevant legislation and the victims charter ▷ Listening and communication skills ▷ Be interested in the work |
| Police in the charge office | <ul style="list-style-type: none"> ▷ Have knowledge ▷ Listening skills ▷ Interpreting skills ▷ Knowledge of relevant legislation and the victims charter |
| Social workers | <ul style="list-style-type: none"> ▷ Have the necessary qualification ▷ Listening and communication skills ▷ Provide psycho-social support ▷ Be able to assist other professionals ▷ Relationship building ▷ Assessment skills ▷ Knowledge of relevant legislation and the victims charter ▷ Help find places of safety |
| Forensic social worker (1 per station) | |
| Medical Personnel, Doctors and Nurses | <ul style="list-style-type: none"> ▷ Forensic investigation skills ▷ Skills to work with children ▷ Necessary qualifications ▷ Listening skills ▷ Know procedures for reporting |
| Specialised Forensic Nurses | |
| Specialised Prosecutors | <ul style="list-style-type: none"> ▷ Skills to work with children ▷ Assist detectives from the beginning ▷ Knowledge on the issues |
| Magistrates | <ul style="list-style-type: none"> ▷ Skills to work with children ▷ Community awareness ▷ Knowledge on the issues |
| Staff at NGOs and places of safety | <ul style="list-style-type: none"> ▷ Assist and support to other service providers ▷ Advocacy and lobbying skills ▷ Information and training to the community |

Most groups agreed on a range of personal qualities that are relevant to all different role-players listed, which include:

- ▶ Commitment
- ▶ Be child-friendly
- ▶ Approachable
- ▶ Objectivity
- ▶ Empathy and caring
- ▶ Have patience
- ▶ Be non-judgemental
- ▶ Be trustworthy

- ▶ Respect confidentiality
- ▶ Show respect

In addition to the above, social workers should also be genuine, reliable and have confidence and compassion was an additional criteria required of specialised prosecutors. Of magistrates, it was demanded that they have high moral and ethical standards and show respect for all people.

General comments on defining high-quality services

Types of cases and Nature of Service in the Province

The scope of the work should be defined to child abuse, family violence and sexual offences in order to provide a higher quality of services in these matters. All such cases must be highly prioritised in the province.

Respondents agreed that all cases involving children should be investigated by FCS.

Respondents debated and did not achieve consensus on the issue of the extent to which domestic violence cases should be covered in the mandate. There was agreement that the serious domestic violence cases as currently contained in the mandate should be investigated by FCS detectives, however, there were different opinions as to whether the less serious crimes committed in the context of domestic violence should be incorporated. Some felt that as a result of the sheer number of these cases this would draw resources away from other extremely serious offences, such as child rape and that services to children should be emphasised.

It was also noted that domestic violence matters are complex and require a high level of specialisation, some felt this could be delivered in all such matters by FCS and others felt that pure specialisation in DV alone is what is required. It was noted by one respondent that the existing SAPS instruction on domestic violence was sufficient.

Another point that was raised regarding this is that in many domestic violence matters – even where it involves less serious offences, the vulnerability of children in that home is often overlooked by service providers. It was thus proposed that having integrated services regarding both domestic violence and child abuse would result in greater protection of children in these circumstances.

Where should service be delivered?

There was the principled agreement that services should be offered at community centres. Most indicated that a suitably victim-friendly space within every police station would be sufficient and that in remote areas this should be provided through mobile stations or at satellite stations. In contrast some respondents felt that the province must also adopt the placement of the FCS services at accounting station level using the cluster model.

Who should be providing services, training, skills and qualities?

Respondents agreed that the service must be delivered by specialised detectives who have had specialised training and

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? | What other kinds of support do they need? |
|---|---|---|
| Detectives | <ul style="list-style-type: none"> ▷ Enough staff (trained and specialised) available 24/7 ▷ Vehicles ▷ Offices ▷ Victim support rooms and conducive environment for interviews ▷ Cellphones ▷ Computers ▷ Crime kits ▷ Database of service providers ▷ Stationery | <ul style="list-style-type: none"> ▷ Counselling and debriefing ▷ Networking and information sharing through quarterly meetings ▷ In-service training ▷ Employee assistance programmes ▷ Good management |
| FCS units | <ul style="list-style-type: none"> ▷ Vehicles ▷ Two child-appropriate interview rooms ▷ Room for forensic social worker | |
| Judicial Staff, NPA and Justice | <ul style="list-style-type: none"> ▷ Sexual offence courts ▷ Court preparation services ▷ Children's courts ▷ Trained prosecutors available 24/7 | <ul style="list-style-type: none"> ▷ Counselling and debriefing ▷ Networking and information sharing through quarterly meetings |
| Social workers | <ul style="list-style-type: none"> ▷ Highly specialised social workers ▷ Vehicles ▷ Offices ▷ Access to places of safety ▷ Resources for interviewing children and communication tools | <ul style="list-style-type: none"> ▷ Counselling and debriefing ▷ Networking and information sharing through quarterly meetings ▷ In-service training ▷ Good management |
| Doctors and nurses, including forensic nurses | <ul style="list-style-type: none"> ▷ Enough trained staff and specialisation ▷ Equipment for examinations ▷ Victim support rooms | <ul style="list-style-type: none"> ▷ Care for the caregivers ▷ Good management |
| NGOs and Places of Safety | <ul style="list-style-type: none"> ▷ Transport ▷ Conducive environment for privacy ▷ Communications ▷ Financial support ▷ Human resources | <ul style="list-style-type: none"> ▷ Care for the caregivers |

skills. It was noted that continuous and not once-off training must be provided and that training should be accredited. In addition it was strongly suggested that training be accompanied by mentoring and shadowing processes as new members start investigating such matters. Some suggestions regarding what training should cover include interview- and statement-taking skills, childhood development, communication with children, building relationships with children and also communicating with victims in general. In addition it was suggested that effort should be made to ensure that as few people as possible are involved in interviewing victims.

The necessity of delivering services to victims in their mother tongue was emphasised. Reference was made to insufficient female detectives who could communicate with victims in their home language in Nelspruit and Tonga.

One group stressed the need for one forensic social worker to be available per station and another raised concerns regarding the fact that magistrates don't always accept the expertise of forensic nurses thus not allowing this testimony.

The qualities that were mentioned as necessary include people who are committed to the issues, who have experience, passion and empathy. One respondent commented that training without commitment is useless.

Resources, management and support

Respondents noted the need for adequate budget allocation to ensure that all necessary elements of the service can be implemented. Specific resources that were raised at this point include victim- and child-friendly rooms and crime kits.

Respondents noted that team-building and motivation are essential. Emphasis was also placed on ensuring that guidance and mentoring are available to new members in addition to training.

Respondents highlighted that management must also be trained and be expected to have the same commitment to the issues as the detectives. It was also felt that if FCS management was centralised at National and Provincial levels there will be greater standardisation of services in provinces.

Monitoring

Two groups of respondents emphasised that there must be continuous monitoring of FCS services.

Collaboration and referral

Much emphasis was placed on the necessity of inter-sectoral collaboration to improve services and ensure referral of victims to appropriate professionals and services. This included the suggestion that a quarterly forum of stakeholders be

established for this purpose and another group of respondents suggested that these meetings take place on a monthly basis.

Respondents also emphasised the necessity for all service providers including detectives, social workers and prosecutors to be available on a 24-hour basis. Problems relating to the lack of availability of social workers were stressed. Respondents appealed for an after-hour roster for social services to be made available to detectives as a matter of urgency in the province.

Victim support and counselling

Various comments were made regarding this by groups of respondents, including that service providers must have sympathy, be able to understand victim empowerment and complainants must be properly attended to.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Respondents indicated that prior to restructuring, specialised services were delivered by CP unit detectives in all child abuse cases to children under the age of 18: this included sexual offences and a wide range of other offences. There were different views on who was receiving services subsequent to the restructuring: three groups of respondents indicated that services are being offered to all children as before as well as to adults in sexual offence matters and certain domestic violence matters. One group indicated that specialised services are still only being delivered to children and has not yet extended to adults in all areas. Another group noted that in Nelspruit only children receive the specialised service. One group of respondents indicated that as a result of poor communication they did not have the information to answer this question. Similarly another group noted that in Nelspruit, Secunda, Witbank, Evander and Barberton, stakeholders have not been informed about FCS and were thus not clear about what specialised services, beyond services to children, are being delivered there.

It was also noted that detectives at many stations are expected to investigate all types of cases and not only cases within the FCS mandate and that this results in less specialisation.

In relation to domestic violence cases it was noted that charge office personnel would constantly refer complainants to the magistrates office and would not accept or lay charges against abusive partners. Respondents indicated that in Witbank, Secunda, Embalenhle and Evander this is still the case subsequent to the restructuring. It was also specifically noted that domestic violence cases are not taken seriously in Barberton.

Which police officials provided services before the SAPS restructuring and at the current time?

It was noted that prior to the restructuring in 2006 specialised services were delivered by CP units. One group noted that the service was offered primarily by male detectives and that all ranks of members would manage cases, but that more serious matters would be investigated by more senior police officials. Subsequent to the restructuring respondents indicated that services are now delivered by all specialised (CP) police officials and by all existing general detectives based at the police stations and that this differs from station to station.

Accessibility of services to victims in terms of location and areas of operation

It was noted that prior to the restructuring there were four CPUs in the province: Nelspruit, Kwamhlanga, Middleburg and Secunda. The areas covered by these was huge and this made services less accessible as the public first reported to the police station and then the case was referred to the CPU. It was also noted that for this reason files would go missing more easily in the past. The restructuring means that the 15 clusters in Mpumalanga will be recognised and that FCS officials will be available at the accounting station to serve the different stations in the cluster. FCS members will thus more easily get to the stations in the cluster.

One group indicated that prior to the restructuring the situation was more stressful with CP members carrying a high workload. It was noted that things could be 'hectic' as 10 members provided a service to 26 different stations. This group noted that there were previously sufficient resources. This group felt that the restructuring improved this considerably by broadening the range of police providing services, and that in spite of the fact that the cluster model has not yet been implemented that this will result in correctly located services. It was noted that providing resources for services as a result of the restructuring is currently bad. This was supported by the response from another group which indicated that as a result of restructuring one unit servicing 25 police stations and 17 different courts services were not as accessible as they are now since they are based at every police station. This group noted that prior to the restructuring services were not accessible to women and that there was no specialisation at the stage of first reporting. These respondents indicated that in spite of the fact that the location of services improved access in principle, the shortage of human and logistical resources, the lack of trained and experienced detectives and poor communication with other stakeholders meant that practically the services are not accessible.

Another group indicated that services were previously more accessible as communication and instructions were structured and working well, this group felt that although current services exist, they are very fragmented and not well known.

Respondents raised that there was previously poor access

for rural communities to services and that the new structure improved on this. It was noted that the cluster model is not ideal in rural areas as victims lack the resources to access accounting stations where great distances are involved.

The following detail was provided by one group:

- ▶ Previously cases that were reported at Delmas police station were investigated at the Secunda CPU. Delmas has benefited from the restructuring as two specialised police officials have been posted there and cases reported here are investigated by these two detectives.
- ▶ Kabokweni cases were previously referred to the Nelspruit CPU for investigation. They are no longer referred to Nelspruit but the group was not certain if specialised detectives had been designated to Kabokweni police station to undertake these investigations.
- ▶ Cases that were reported at Sundra police station were sent to Secunda CPU for investigation. Now cases are not referred and no specialised detectives have been posted at Sundra meaning that there is no specialised service there.
- ▶ Previously cases reported at Lesley police station were reported to the Secunda CPU. No specialised service is currently available at Lesley police station.

With regard to victim-support rooms it was noted that the victim-support room in Nelspruit is not being used for victims and is used as a lunch room for members. The space where victims are interviewed has too many distractions such as telephones and people coming and going. However, it is central and easy to get there. It was noted that there are no victim-support rooms in Kanyamazane or Barberton but that Kabokweni does have this facility.

It was noted that the fact that there were two standby cellphones meant that police stations and other service providers could easily contact the unit. While increasing access from SAPS members to the detectives, the restructuring has made specialised detectives less accessible to external service providers.

Availability of resources for the provision of these services

Detectives

It was noted that the number of detectives previously available for the various districts was insufficient under the CPU model; that the detectives were overworked carrying case loads as large as 100 dockets and covering vast areas in some instances. The majority of respondents indicated that this has not improved as the same number of detectives have been redeployed to some police stations in various clusters, although the smaller areas covered now was viewed as an improvement. The fact that more detectives are technically available was consistently tempered with the reflection that these had no training and that they are thus only specialised in name and not in ability.

Only one group of respondents felt that there had

previously been sufficient detectives but that this is no longer the case. This group of respondents agreed with all of the others that there are not enough specialised detectives subsequent to the restructuring, with some stations having no specialised detectives at all.

It was noted that Kanyamazane has sufficient specialised detectives but that this is not the case in most other stations.

Vehicles

While about half of the respondents indicated that there had been sufficient vehicles available prior to the restructuring, others indicated that there were vehicles but not enough. All groups of respondents agreed that subsequent to the restructuring there are no dedicated vehicles available for service delivery to FCS matters.

Victim-friendly facilities

Respondents generally agreed that there has been no improvement in the availability of victim-friendly facilities at police stations. Groups provided their opinion of the status of victim-friendly facilities at a number of stations, noting that Witbank victim support is functioning very well; that Kanyamazane has sufficient facilities and that facilities are available at Quaggafontein; but Barberton, Dalmas and Nkangala district don't have facilities such as one-way glass and interviewing rooms and that other stations need attention. One group felt that where interviewing rooms were available they are not up to standard. Two contradictory opinions were expressed regarding the services in Nelspruit with one group noting that facilities were sufficient but another noting that this is not the case. This may be influenced by the issue of the perceived quality of the facilities.

One group indicated that one way-glass is urgently needed to facilitate identity parades at station level.

The victim-friendly facilities at courts have improved.

Other equipment

It was noted that necessary equipment is generally available but that this is not the case in all areas and is not up to standard. Groups also noted that cellphones had been taken away from FCS members and there was no longer access to these and that there is insufficient office equipment available. One group was of the opinion that office equipment had been upgraded and standardised with improved access to telephones.

Skills and personal qualities of detectives

Skills

Respondents note that there has been a general shift from specialisation to less specialisation as a result of detectives not being skilled to investigate these matters except where CPU members have been relocated to stations and have maintained their skills. The fact that training has not yet taken place was given as the reason for this lack of skills under the new structure. In addition it was noted that the restructuring

has resulted in a loss of quality in the supervisors of specialised detectives who are not in a position to provide support or guidance to members anymore. One group indicated that the restructuring enables knowledge to be spread more among SAPS members.

Personal qualities

The majority of respondents indicated that prior to the restructuring CPU members were passionate, committed, empathetic, understanding, patient and motivated, one group indicated that this was partly because members had a choice regarding joining the units. These groups indicated that the restructuring had demotivated and demoralised ex-CPU members who have no choice but to deal with all types of cases including FCS cases, and that new members were not committed as they are not yet trained. The work load increases for these members and there is currently poor communication between FCS members and other stakeholders.

Only one group of respondents were of the opinion that the personal qualities had not been affected and that members have remained committed to these cases under the new structure.

Other comments

It was noted that as a result of the fact that detectives are expected to deal with all different cases and not only FCS cases that the service cannot be called specialised even though it may be delivered by trained ex-CPU members.

Strengths and weaknesses of services before and after the Restructuring

Key *strengths* that were highlighted regarding services provided under the previous model included that members worked in teams and that members were easily identifiable.

Service delivery by CPU detectives was viewed as good and effective as members had experience and commitment. It was also noted that under this model detectives had the resources and infrastructure, such as vehicles and cellphones, to support specialised investigations.

The quality of networking between various stakeholders such as Social Services, NGOs, Health and the Department of Justice was seen to be positive as there was more personal contact between different stakeholders.

Two main areas of *weakness* were identified by respondents regarding the previous structure, these being that services were not accessible to everybody in all communities as they were not based at police stations, particularly in rural areas and that detectives carried very high case loads and were expected to cover large distances resulting in higher stress and detectives being overworked. Furthermore every case took very long. (e.g. a rape case was reported when the victim was 3 year old, and the case went to court when the child was 9 years old).

The service was previously managed by a dedicated branch commander who provided feedback to members

whereas now information is received by members from the detective commander and the Provincial office was monitoring services, whereas this is no longer the case.

Respondents only identified one strength regarding the service as a result of the restructuring, noting that services are now closer to the community, especially in rural areas with the potential of increased access and that victims can make contact more freely with SAPS. The distances that detectives must travel to see victims and to the courts has improved as a result of the restructuring.

However a number of weaknesses were listed, these include that specialised teams had been lost and members now work in isolation and that there is a backlog of old cases.

Communication within SAPS between station commissioners and members was considered by respondents to be poor, as was communication between station management and other role-players such as health services, NGOs and Prosecutors. One group indicated that there had been a total communication breakdown between SAPS and other service providers, and that the turnover in staff has resulted in information about cases being lost. This group experienced the new detectives managing these cases as being very unhelpful.

Respondents repeatedly raised the lack of specialised training as a weakness as this meant that there are actually no specialised people to do the work. The complete lack of resources, such as vehicles, was seen as a serious weakness.

Another major weakness noted was that prosecutors and social workers are not available on a 24-hour basis in the province. One group of respondents also noted that there are problems with doctors who refuse to examine children without the direct consent of parents. This is a problem where the parents are the accused or support the accused. In addition the courts in the province are not recognising the expertise of forensic nurses.

It was noted that it was previously easier to contact detectives as direct contact was made with the unit, now contact must be made with the station first and this makes the FCS detectives less accessible.

It was also raised that access to court preparation services had decreased in Nelspruit with fewer victims now having access to this.

Of greatest concern to members was the lack of access to vehicles, in some areas (such as Delmas amongst others) members must use marked vehicles or vans for investigation of these matters and transporting victims, which can result in further victimisation to complainants. Respondents also indicated that FCS members in some stations had no necessary equipment or office supplies, with some not having offices or chairs. This is exacerbated because some stations have taken resources that were previously allocated to CP cases away and are using them for all investigations (the example was made that in one station resources previously allocated to CP investigations are now being used to

investigate housebreaking matters) and resources are no longer allocated specifically for FCS cases.

In addition, the lack of victim-friendly and appropriate facilities in many police stations was raised as a serious concern by respondents.

Respondents reflected that bigger stations such as Nelspruit and Kwamhlanga tend to carry bigger case loads and thus tend to be better resourced, with members expressing fewer problems in accessing the resources they require to undertake investigations, whereas FCS members at smaller stations tend to have greater difficulties, especially regarding getting access to vehicles. One respondent explained that the fact that all specialised units had been closed meant that this placed greater pressure on resources at station level.

It was noted that the restructuring had impacted negatively on communication and collaboration between FCS members and other stakeholders such as social workers, health staff and NGOs as new detectives don't know who the contact people are and stakeholders don't know who the new detectives are or where the previously specialised detectives are based. It was noted that in Etanzeni a child protection forum is functional and strengthening the quality of service as there is collaboration and stakeholders have been given the new standby numbers. It was suggested that such local forums should be set up to address these issues.

Other weaknesses are that the investigating officers don't know who the contact people are of the various role-players, like social services/social workers. Conversely, role-players at the hospitals struggled, due to the restructuring, to maintain contact with changing investigating officers. A forum for role-players to communicate would be helpful in this regard.

The restructuring as a process

Respondents indicated that there was no dedicated change management of the restructuring process, either in terms of the communication within SAPS and to other stakeholders and the public or in terms of case management during the transition. It was strongly agreed that overall, there was no uniformity regarding the restructuring process in the province with each commissioner taking their own initiative with regard to how the service would be structured in their station or cluster.

Respondents agreed that this move is, in principle, a positive move as services are brought closer to the people and access has thus improved. It was, however, noted that inadequate attention had been paid in the change process to the resource and infrastructure needs of different areas in the province.

It was strongly felt that the process was not effectively managed, especially with regard to management of information regarding the restructuring. A respondent noted that different station commissioners received different messages from national or provincial level and that this then resulted in members receiving different messages regarding the process. It was felt that the communication to officials on the ground

could have been improved, as many members and service providers heard about the process through statements from SAPS in the media, one member indicated that they received a notice to the effect that FCS units would be closing down. Respondents noted that the impact of poor communication actually encouraged resistance to the change.

Respondents suggested that restructuring should be preceded by consultation with people on ground level who work with these matters, to avoid the many problems that had resulted during the change process.

A number of concerns were raised regarding the impact of the transition on service delivery. Of particular concern was the impact on the management of case dockets that were in the process of investigation at the time of the transition. These dockets were returned to stations where new unspecialised detectives were assigned midway through the investigation. It was noted that in many cases this had a negative impact on the court process and that many awaiting trial prisoners have been released due to poor communication between the old and new detectives and the lack of specialisation of many of the new detectives. It was also noted that there are dockets that were misplaced in the process and where new detectives had not been reassigned to the case, after being on the court roll for too long, cases are being struck off the roll when victims and dockets are not brought to court.

The other issue that was stressed by respondents is that new detectives are not informed of who the contact people are amongst different service providers such as social workers and hospitals. Contacts that have been made have been lost and other stakeholders do not know who to contact within SAPS. It was felt that a forum to facilitate communication between role-players during the transition and subsequently would have and can assist with this.

Of great concern to respondents was that some CP members were relocated at great distances from where they live, for example some detectives are living in Nelspruit but operating in Tonga and Komatipoort.

Respondents indicated that station managers should have been targeted for training and information prior to the transformation so that they were informed of the duties of specialised detectives and to ensure that FCS issues which are noted as priorities at national level are reflected as being important in implementation of services at local level.

The issue of lack of resources was raised as a major issue with fundamental impact on the ability of members to deliver a quality specialised service to victims. It was generally agreed by respondents that while there had previously not been enough detectives assigned to CP cases, the resources that had previously been available to members had been sufficient for the specialised detectives to work efficiently. It was noted that while FCS services are supposed to be a priority, resources to provide these services have not been prioritised.

Monitoring of FCS Services

The following issues were emphasised during the plenary discussion on monitoring.

The quality of services must be monitored through continuous training and checking case progress. Indicators for monitoring this include networking with all other stakeholders and feedback. One should look at how much networking is taking place, check minutes and files from the meetings. This should be the function of supervisors and managers of all stakeholders that are taking part. In addition to the ideas mentioned above, the idea of a quality assurance team was suggested to oversee the quality of services. This should be a multi-disciplinary forum with the role to monitor service.

Case management must be monitored from reporting through to finalisation in court: indicators include the registration of dockets, information to complainants, quality detailed statements. This information can be accessed through data capturers, detectives, supervisors and commanders and from prosecutors and other relevant external stakeholders.

Respondents raised the issue of monitoring forensic medical services including that the quality of information

on the J88s must be monitored and that a system to ensure that crime kits and the chain of evidence are properly followed through must be in place. Respondents raised concern regarding forensic examinations at different hospitals, including problems with the crime kits, waiting time and the general service at the hospital. Children are sent through casualty systems which are manned by community service doctors who leave after a year. They complete the J88 but have left by the time the court case starts. Forensic nurses have been trained but some courts are not accepting the evidence of these nurses while in other courts there has been no problem with this.

Another area of discussion related to monitoring services by social workers, volunteer counsellors and psychologists. It was noted that the child protection register can be used to do this to some extent, and the Department of Social Development is responsible for monitoring State social workers. In addition NGOs that are designated to do statutory work report to Social Development. Respondents indicated that the involvement of other stakeholders in the monitoring of Social Development is lacking. It was also noted that the South African Council of Social Work should be utilised.

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|--|--|--|--|
| 1. Personnel to be skilled | Ongoing/continuous training for all officers | By the numbers that have attended training | SAPS, CPF |
| 2. Cases reported | Registration of cases Case information (contact details) | | Supervisors, commanders |
| 3. Quality of statement | Detailed statements 24-hour inspection by supervisors Successful conviction | | Branch commander Prosecutors |
| 4. Quality of investigation and service and progress of the case and procedures followed | Efficient and expedient case work Medical examinations done Involvement of social services Child protection register up to date Complaints from victims Networking with service providers Victims informed of court process Successful conviction | 24-hour inspection by supervisors Case register Occurrence register Court roll/court books Minutes of meetings Database Going through paper work | Branch commander 24-hour inspection of cases Crime office check list Prosecutors Designated officers Other stakeholders |
| 5. Feedback to the family good communication | Occurrence registers Fewer complaints | List of stakeholders resource Investigation diary | Community safety forums |
| 6. Number of cases | Statistics | Data base and meetings | Managers and all designated officers All stakeholders |
| 7. Physical resources | Enough vehicles Visibility | Resource list Statistics | SAPS, CPF |
| 8. Support of social services | Has child been referred? Has an appointment been made? How many appointments? | | Social workers, investigators |
| 9. Child protection register | Regular reporting by stakeholders | Request through department of social services | Department of Social Services |

NORTHERN CAPE

Introduction

The Northern Cape workshop was held in Kimberley on 18 February 2008. Twenty-six people attended, the participants representing the following sectors from the following localities: the Department of Social Development; the National Prosecuting Authority; the Thuthuzela Centre; and a good number of SAPS members, 7 of whom were attached to the FCS. The remainder of participants were from the NGO sector.

The workshop dealt with the following main issues:

- ▶ Defining high-quality services
- ▶ A comparison of FCS before and after the restructuring
- ▶ Monitoring FCS services.

Defining High-Quality services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery in respect of the FCS mandate. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

Participants stated that FCS should be handling 'the norm' and that FCS is in fact handling all cases said to fall within 'the norm'.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|--|
| Rape | <ul style="list-style-type: none"> ▶ Specialised attention by FCS staff – first attendant to take case through all the steps (Medical, statements, investigation, arrest, court, etc.) ▶ Interviewing victims by taking statements: Suggestion: Statement should be taken by a female officer ▶ Medical examination ▶ Open a case docket, register case ▶ Arrange counselling and place of safety if needed ▶ Counselling of victim ▶ Crime scene handling & investigation ▶ Networking with other police for arrest ▶ Bail proceedings ▶ Challenge: to take further responsibilities of cases which were reported e.g. weekends by assisting by transporting them to us on Monday ▶ Victims: properly informed about procedures followed with regard to case investigations that the cases will be handled by official investigator. |
| All cases of Sexual Offences Act | <ul style="list-style-type: none"> ▶ All sections of Act ▶ Proactive measures ▶ Referrals, medical assistance, psychologists, counsellors ▶ Open a case docket, interviewing victims by taking statements ▶ Suggestion: Statement should be taken by a female officer ▶ Challenge: to take further responsibilities of cases which were reported, e.g. weekends by assisting by transporting them to us on Monday ▶ Victims: properly informed about procedures followed with regard to case investigations that the cases will be handled by official investigator. |
| Attempted Murder | <ul style="list-style-type: none"> ▶ Only children under 18 years ▶ Remove from parent/guardian ▶ Referrals to doctor |
| Assault common and GBH | <ul style="list-style-type: none"> ▶ Family violence with an interdict |
| Domestic Violence | <ul style="list-style-type: none"> ▶ Refer victim to relevant stakeholders, e.g. court counsellors, and provide proactive measures |
| Service to children with disabilities | <ul style="list-style-type: none"> ▶ Units must speed up the process, (month) especially if children are raped (child-friendly environment) ▶ Delay in transport after giving statements, people sit and wait for hours ▶ Try to employ persons (police officers) who can understand 'sign language'/translators |
| Preventive measures | <ul style="list-style-type: none"> ▶ Information sessions at crèches ▶ Security guards |

In which places/locations should the above FCS services be provided?

Two groups were of the opinion that FCS should be provided *away* from police stations, since these are not good environments for privacy, confidentiality nor to instil confidence in child victims, the latter mostly being afraid of uniformed police.

Child-friendly Community Centres/Crisis Centres were suggested as alternatives and One-stop Centres where medical, social workers, counsellors and other role-players were available was suggested. This would reduce driving around.

Two other groups stated that the service should always be from a police station and that every cluster should have a ‘unit’ with individual members at each of the stations. The fifth group stated that the service should be available at all areas.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills should they have? |
|--|--|
| Detectives | <ul style="list-style-type: none"> ▷ Sexual offences course, detective course, debriefing course, writing skills, communicating skills ▷ DLP course, FCS course ▷ Interviewing skills ▷ Aware of child development ▷ Special selection procedures |
| All FCS members | <ul style="list-style-type: none"> ▷ Trained FCS member ▷ Trained in how to work with people |
| Social Workers | <ul style="list-style-type: none"> ▷ Qualified, registered, forensic trained report writing, testify in court. ▷ Specialised courses ▷ Counselling skills ▷ Interviewing skills ▷ Available 24 hours |
| Forensic social workers | <ul style="list-style-type: none"> ▷ Accredited social workers/nurses ▷ Trained FCS members ▷ Interviewing skills |
| Nurses and doctors | <ul style="list-style-type: none"> ▷ Qualified, registered, forensic trained report writing, testify in court ▷ Interviewing skills |
| Prosecutors | <ul style="list-style-type: none"> ▷ Interviewing skills ▷ Necessary qualifications |
| NGOs | <ul style="list-style-type: none"> ▷ Must be able to refer victims |
| VCT counsellors | <ul style="list-style-type: none"> ▷ Interviewing skills |
| Victim support, site coordinator, victim-assistant officer | <ul style="list-style-type: none"> ▷ Interviewing skills |

In addition, the following issues were stressed, since these were the usual defects in the system:

- ▶ The FCS member should be part of information gathering from the first report of a crime but does not receive this information right from the start. This function is also dependent on having enough members and concerns appropriate procedure.
- ▶ The first investigating officer in the case should include an FCS member. This is the gap. Cases are reported during

weekends and this becomes a problem.

- ▶ Grading of cases: There needs to be some kind of gradation of cases. For example, a child rape might fall in this category. Perhaps an attempted murder or assault takes less effort and this belongs in another weighting or category. We need strong investigative officers too and must look at the differences between officers, their skills and talents. Sometimes someone more skilled with children should specialise but there are some logistical problems.
- ▶ Medical staff and forensic social workers should be available on a 24-hour basis.
- ▶ Men are also victims.
- ▶ Other ways of using children’s evidence must be examined.

Most groups agreed that the personal qualities that are relevant to all different role-players are that these should be people with passion, commitment and willingness to work with children. FCS SAPS who are experienced but no longer committed since their career paths seem uncertain are also a dead loss.

In addition, the following personal qualities were required for the following categories of service providers:

- ▶ *FCS members and detectives*: Patient people who treat all with dignity and respect.
- ▶ *Prosecutors*: People with changed mind sets and the patience to conduct proper interviews with victims. They should be good communicators.
- ▶ *Social workers*: Must be able to gain people’s trust and have endurance.
- ▶ *Medical staff*: Must be committed to their oath of confidentiality.

What resources should the above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? |
|---|--|
| Social workers | <ul style="list-style-type: none"> ▷ Transport ▷ Computers ▷ Cellphones |
| FCS SAPS | <ul style="list-style-type: none"> ▷ Cellphones ▷ Cameras – can’t wait for turn with camera – needed at every crime scene ▷ Transport, particularly in Kimberley where FCS must negotiate transport with general detectives, which means poor planning of FCS work ▷ Computer skills ▷ Laptops to make presentations at schools |

General comments on defining high-quality services

The workshop representatives stressed that Kimberley Cluster Station and its three sub-units, being Galashewe, Roodepan and Kagiso, were severely hampered in delivering a quality service by the following problems:

Work overload

The 22 FCS members at these stations were tasked with all

family violence cases and sexual offences cases from this area. This means that FCS detectives are now doing work that was not previously assigned to them and they were hugely overloaded.

Too many new untrained members and a loss of skilled members
There was a dearth of skilled FCS members. Most FCS members are unskilled constables. Moreover, 5 skilled FCS members were lost to the cluster, owing to promotions.

Poor management of FCS structures
Since there is no longer a Unit Commander, FCS members have to account to every station commissioner in the cluster, all of whom independently plan and organise FCS at their respective station. And since there has been no clear directive from Head Office to Station Commissioners providing guidelines for FCS, FCS members are being pulled in different directions by each station commissioner.

Poor/lacking financial management and resources
The budget for FCS per cluster should be in the region of R400 000. However, FCS needs have to be claimed from the detective budget, which amounts to only R250 000.

Low morale
The above all add to the low morale among FCS members, many of whom work large amounts of overtime without remuneration.

Recommendation

The workshop participants suggested that a standing order be issued regarding FCS work to stations, and that FCS should fall under national command and not detective command.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Before restructuring the victims of the following crimes received FCS services:

- ▶ All sexual offences
- ▶ Child murders
- ▶ Child abuse and neglect
- ▶ Victims of the Domestic Violence Act, but the exact crimes emanating from this legislation was not made clear. Furthermore, one of the groups indicated that this was only for victims of intra-familial violence, without defining what intra-familial comprises.

Before restructuring, a service was also provided to communities in the form of lectures at schools and churches. The Department of Labour conducted enquiries into allegations of child labour.

After restructuring the service is extended to child and women victims of assault and assault GBH, and to all victims

under the Domestic Violence Act, now including crimes such as Malicious Damage to Property, *crimen injuria*, trespassing, theft and failure to pay maintenance.

Which police officials provided services before the SAPS restructuring and at the current time?

Before restructuring, the FCS Unit Commander was a superintendent, the section commander a captain. Officers who conducted investigations ranged between inspector and constable. Post restructuring, staff, ranking from Constable and up, at station level are placed in FCS Services without option.

Accessibility of services to victims in terms of location and areas of operation

Before restructuring, there was one FCS unit located in Kimberley that was easily accessible to all by public transport. The FCS Unit in De Aar served 22 stations.

The restructuring resulted in the relocation of the FC Service from Kimberley to the SAPS Galeshewa station, which the workshop participants deemed less accessible to the public since it required taking two taxis. In De Aar the relocation of FCS staff benefited only 8 of the 22 stations, leaving the balance without FCS skills.

Availability of resources for the provision of these services

Before restructuring, the FCS Unit in Kimberley had a victim room, play room and a one-way glass identity parade room. However, there was a shortage of computers, telephones and only 1 cellphone among 8 members.

The relocation of the FCS Unit in Kimberley to SAPS Galeshewe, due to the restructuring was not accompanied by a transfer of resources to the new building. In SAPS victims have to wait among uniformed officers; there is no victim-friendly facility with projector and television; a shortage of computers, printers (8 computers and 4 printers among 31 staff), landlines (5 lines for 31 staff members) and cellphones (5 cellphones). There is also a shortage of vehicles to transport victims and for FCS project work. This also applies to Upington. Restructuring meant a loss of autonomy over resources and FCS needs are not viewed as urgent by the general detective pool. Landline and fax users require pin codes, which are not distributed readily.

Skills and personal qualities of detectives

Before restructuring, 90% of FCS Units were trained and had 2 years of experience. All had a national SAPS diploma, a driver's licence and had been placed on 6 months' probation within the unit. Applicants also underwent psychometric testing before joining the unit. They were committed and passionate about their work.

After restructuring, new FCS staff, constables and up, are placed without experience, often straight from field training, without a driver's licence, and without first being put through an interview and psychometric testing. The result is that staff

are negative, demotivated and without the necessary passion for this type of service. Many have poor statement-taking skills and limited language skills. Prior to reconstruction victims were provided with special skilled detectives, post reconstruction victims are dealt with by unskilled constables.

Provincial Detective Heads have limited understanding for the needs of FCS providers at station level.

Strengths and weaknesses of services before and after the restructuring

Key strengths that were highlighted regarding services provided under the previous model included the following.

Specialisation meant that members were pro-active, their work ranged from satisfactory to above standard, and cases were solved. FCS members were passionate, motivated, happy and wanted to be at the Unit. Unit members responded promptly to cases. The Unit also did a lot of public awareness and everyone in the community knew where the Unit was located. The result was that the public had trust in the Unit, knew how to access them both telephonically and by public transport, and the community got involved in the work of the police.

Communication between FCS and other role-players was good, particularly with social workers. The contact numbers of investigators were known to all in the field. Role-players stated that it was easy to keep track of cases and easy to keep victims informed of the progress of their cases. Finally, transport was adequate.

Three main areas of weakness of FCS prior to the restructuring were identified by respondents regarding the previous structure, that the service was re-active and concentrated during normal business hours. Contradictory to some who

mentioned quality of service prior to restructuring, others state that a weakness of the Unit prior to restructuring was fair to weak in quality of work.

Workshop participants offered no strengths regarding the restructuring, only the following weaknesses:

- ▶ Loss of both human and physical resources brought about by the restructuring, e.g. a smaller pool of vehicles in Uppington and no 4-wheel drive vehicles; in greater Kimberley, 36-38 people with only 4 printers, 8 computers, 5 cellphones, no access to landlines. If one needs to fax, a pin code needed. It takes 2-3 weeks to get a new pin code.
- ▶ FCS services now have to come out of the detective budget, which is already stretched.
- ▶ Rural areas were worst affected by the restructuring.
- ▶ Restructuring meant loss of autonomy over physical resources. Under a Unit system, staff were able to negotiate access to limited means of transport etc. among themselves.
- ▶ Redeployed trained staff, e.g. in Colesburg, are unable to assist with training new staff since there is no autonomous budget for FCS and trained staff have no time to help with on-the-job training.
- ▶ The relocation of the Kimberley service to Galeshewa means that district surgeons based in Kimberley are now further away.

Monitoring FCS Services

The issues raised in the plenary discussion on monitoring have been incorporated into the table below, although no monitoring indicators were provided for the points raised, nor who should be charged with monitoring these concerns.

Issues raised in the plenary discussion on monitoring FCS services

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|--|--|---------------------------------------|---|
| FCS SAPS Efficiency | <ul style="list-style-type: none"> ▶ Arrest time ▶ Cycle time ▶ Finalisation per investigating officer | ▶ CAS system | Unit commander |
| Trends | <ul style="list-style-type: none"> ▶ Conviction rate ▶ Same victim several times | ▶ CAS system | Unit commander |
| Detective success rate | ▶ Performance indicators | ▶ Performance indicators | Unit Commander and Station commissioner |
| Statement-taking | ▶ Comprehensive and correct information: date, time when report made and statement taken, address, age and contact details | | |
| Case loads Amount of standby work per 24 hours Cooperation within Unit | | | |
| FCS SAPS & NPA Problems at courts | <ul style="list-style-type: none"> ▶ Same accused ▶ Problems with same doctor, social worker ▶ Cases withdrawn – no reason ▶ Postponements without reason ▶ Dockets at courts for long times ▶ Times taken effect on cases | ▶ On docket and schedule | Unit commander and group leader + I10 & SPP |

NORTH WEST

Introduction

The North West workshop was co-hosted by Childline North West and held in Rustenberg at the Stop 'n Stay Conference Centre on 8 November 2007. In total 40 participants, representing a wide range of stakeholders attended. The SAPS, particularly the FCS service, was very well represented, as was the NGO sector. The National Prosecuting Authority and the Department of Justice were also represented.

The workshop dealt with the following main issues:

- ▶ Defining high quality FCS services
- ▶ A comparison of FCS services before and after restructuring;
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, respondents were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|--|--|
| All sexual offences including rape, sexual/indecent assault, incest and 'sexual abuse' against children. | <ul style="list-style-type: none"> ▶ Referral for counselling support ▶ Align with procedures in the Children's Act ▶ Teddy Bear Clinic type support services ▶ Trained sensitive staff and sufficient resources to manage the case from the Community Service Centre stage through to the end of the trial ▶ Search for forensic evidence ▶ Medical examination – take victim to hospital or crisis centre ▶ Calm down the victim ▶ Obtain proper statement ▶ Proper investigation ▶ Provide security ▶ Empowerment ▶ Involvement of families ▶ Provide feedback ▶ Work with social workers for forensic support ▶ Service centre with all professionals |
| All sexual offences against adults | <ul style="list-style-type: none"> ▶ Referral for counselling support ▶ Search for forensic evidence ▶ Medical examination – take victim to hospital or crisis centre ▶ Calm down the victim ▶ Obtain proper statement ▶ Proper investigation ▶ Provide security ▶ Empowerment ▶ Involvement of families ▶ Provide feedback ▶ Service centre with all professionals |

| | |
|---|---|
| Domestic violence, Assault GBH Common assault | <ul style="list-style-type: none"> ▶ Align mandate to Domestic Violence Act ▶ Visit the scene ▶ Interview complainant ▶ Remove suspect from scene ▶ If there are minors contact social workers immediately ▶ Immediate medical attention ▶ Take victim somewhere safe ▶ Safe house or crisis centres to be provided ▶ Advise complainant as to protection order ▶ Obtain proper statement ▶ Proper investigation ▶ Provide security ▶ Empowerment ▶ Involvement of families ▶ Provide feedback |
| Crimes against children/Child Protection Neglect Physical abuse Abandonment Abduction Kidnapping | <ul style="list-style-type: none"> ▶ Counselling ▶ Align with procedures in the Children's Act ▶ Work hand in hand with social workers ▶ Integration of services from social worker to community service centre to court, by trained staff and with sufficient resources ▶ Remove the child with a form 4 to a place of safety ▶ Refer to social worker ▶ Open a counselling file ▶ Medical examination still important/Take to district surgeon ▶ Check missing person register |
| Offences under the Child Care Act | <ul style="list-style-type: none"> ▶ Obtain proper statement ▶ Proper investigation ▶ Provide security ▶ Empowerment ▶ Involvement of families ▶ Provide feedback |

In which places/locations should the above FCS services be provided?

Respondents overwhelmingly raised that service should be delivered in 'one stop' facilities that are victim-friendly and where all necessary professionals are available. One group noted that services such as the Teddy Bear Clinic, Sexual Offence Courts and forensic social workers are needed in towns and more rural areas.

There was consensus in the groups that services should be provided in all towns and villages, however, there were different opinions on the best model for this. Some groups felt that these should be available at every police station while others supported the cluster model that has been promoted. One group also noted that the 'Adopt a Cop' programme must be available in schools.

One group emphasised that FCS units should be available in the following areas in North West Province: Klerksdorp; Potchefstroom; Lichtenburg; Rustenburg; and Koster which it was noted, could serve Swartruggens, Derby and Boons areas.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|---------------------------------------|---|
| Specialised detectives | <ul style="list-style-type: none"> ▷ Verbal and written communication ▷ Basic and advanced training ▷ Psychometric tests for personal qualities ▷ People skills |
| Forensic/Social workers | ▷ Report-writing skills |
| Counsellors | See comment below |
| Health | See comment below |
| District Surgeons/ Medical personnel | <ul style="list-style-type: none"> ▷ Medical skills ▷ Highly trained to work with children in all age groups ▷ Report writing |
| Specialised Prosecutors | See comment below |
| Specialised Magistrates | See comment below |
| Justice Department | See comment below |
| Forensic psychologists/ psychiatrists | See comment below |
| Teachers | See comment below |

In addition to the above role-players, the role of places of safety, reform schools, correctional services and education was also noted by one group.

It was noted by more than one group that all role-players mentioned require professional training, communication skills, both written and verbal; interviewing skills; listening skills and skills in mediation.

The following personal qualities were listed by groups as being generally applicable to all classes of professionals:

- ▶ Dedication and motivation
- ▶ Compassion
- ▶ Patience
- ▶ Objectivity
- ▶ Empathy
- ▶ Resilience
- ▶ Passion
- ▶ Common sense
- ▶ Good attitude
- ▶ Respect
- ▶ Being a people-oriented person.

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? | What other kinds of support do they need? |
|---|--|--|
| Detectives | <ul style="list-style-type: none"> ▷ Transport ▷ Communications/ Cellphones ▷ Computers ▷ Enough person power ▷ One-stop centres ▷ Interpreters ▷ Proper office environment ▷ Conducive work conditions ▷ Danger allowance and overtime | <ul style="list-style-type: none"> ▷ Emotional employee assistance programme ▷ Debriefing ▷ Motivation ▷ Professional support ▷ Incentives ▷ Commendations ▷ Management support |
| District surgeon | <ul style="list-style-type: none"> ▷ Specialisation ▷ One-stop centres ▷ Medical team ▷ Conducive working conditions | <ul style="list-style-type: none"> ▷ Debriefing ▷ Motivation |
| SOC Prosecutor | ▷ Sexual Offences courts | |
| Intermediary | ▷ Trained and experienced intermediaries must be available | |
| Social workers | <ul style="list-style-type: none"> ▷ Transport ▷ Telephones/Cellphones ▷ Computers/laptops ▷ Printers ▷ Accessible/reachable offices ▷ Danger allowances & overtime | <ul style="list-style-type: none"> ▷ Emotional employee assistance programme ▷ Teamwork ▷ Emotional debriefing |
| Counsellors | <ul style="list-style-type: none"> ▷ Accommodation ▷ Cellphones ▷ Transport | ▷ Emotional employee assistance programme |

General comments on defining high-quality services

Nature of services

The necessity for services to be uniform across the province to ensure equal access to quality services was raised by respondents.

Types of cases

Respondents all agreed that FCS services must be provided to children in all cases of child abuse and neglect and to all victims of sexual offences, adults and children and in domestic violence cases. However, there was much discussion on the issue of including all domestic violence matters into the mandate of the FCS. Some felt strongly that these services must be delivered by FCS members as there are links between family violence and sexual offences against women and children in a particular family. Others felt that the number of domestic violence cases is so vast as to warrant domestic violence matters being dealt with by an entirely separate unit, to ensure that there is sufficient emphasis on cases of children.

One respondent recommend that FCS units be structured as follows:

- ▶ Each unit is overseen by a Unit commander.
- ▶ Services in the unit are then split into three streams: Family Violence; Child Protection; and Sexual Offences.
- ▶ Each stream is consists of a group leader and investigators who specialise in those matters only.

Service providers

It was agreed that FCS services must be delivered by dedicated staff who are focused on the issue. Furthermore, respondents agreed that a range of role-players must be involved: the primary role-players were seen as being the detectives, social workers, district surgeons and prosecutors.

Respondents noted that people providing the service must be able to relate to the victim both in terms of culture and language.

Collaboration and referral

Respondents agreed on the need for multi-sector collaboration, through forums between departments and NGOs to ensure discussion and teamwork on case management. Furthermore the need to ensure that all relevant professionals are networked was raised.

Respondents noted that referral to counselling services and ensuring proper feedback on cases to victims is important and would be facilitated by networking.

Location of services

Respondents agreed overwhelmingly that services should be centralised at crisis or one-stop centres. It was agreed that services should be available to every community but that they should not be based directly at police stations.

The necessity for services and centres to be uniform and for quality of services at all centres to be equal was raised.

Skills

It was agreed that all members providing this service must have relevant and ongoing training.

Qualities

The necessity for dedication to this work and compassion was stressed. There was some discussion on the issue of detectives being tasked with investigating domestic violence and sexual offence matters who themselves abuse their spouse and children. The necessity for proper screening of detectives in line with the Children’s Act was emphasised.

Resources

In order to fulfil their functions FCS services require sufficient staff, transport, communication tools, office space and IT equipment. The fact that many services are based at police stations was raised as a concern since these are not victim- or child-friendly facilities. This is even more problematic in police stations where FCS officials share offices with other

detectives, causing embarrassment to children and even the FCS officers at times.

It was noted that the FCS services are specialised and respondents felt that members are not compensated fairly for the nature of the job that they are doing. Respondents raised the grievance that commercial units, organised crime members and members at the local criminal record centre receive extra allowances but FCS members do not.

It was noted that resources that were previously or should be allocated to FCS services are used generally at the stations. It was also noted that at many stations FCS members must work overtime as a result of the demands placed on them but that they cannot claim for this as funds are not available.

Compensation for social workers who provide standby services and work overtime was also suggested.

Support

A major issue that was raised by respondents was the general lack of respect for FCS services and members by SAPS members at police stations. Respondents noted that many station commanders are demoralising and not motivating FCS members. Motivation from superiors was raised as an important form of support that is required. It was suggested that managers must be supported by province to encourage better management of FCS members by all station commissioners.

The issue of promotion and upgrading was raised by a number of respondents. It was noted that many CP and FCS members are not being promoted, in spite of having up to 15 years experience in some instances. This poor career path for members was seen to have the effect of demotivating members and deterring others from specialising in these cases.

Comparison of FCS Services Before and After the Restructuring

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

The major change in services in the province has been the shift from CP services to FCS services. Prior to restructuring, specialised CP services were delivered in all sexual offences against children and all other crimes committed against children. Domestic violence matters and sexual offences against adults were dealt with by general detectives.

However, it was noted by most respondents that the restructuring of the service and transformation into FCS services means that services should be delivered in family violence cases, but this is not possible due to capacity constraints in most units and police stations and thus in many areas the general detectives continue to investigate family violence cases.

It was also noted that while there are some areas in which sexual offences against adults are investigated by specialised detectives, lack of capacity means that these cases are still investigated by general detectives in many areas. It was noted

that FCS members are confused about their responsibilities in terms of the mandate.

Which police officials provided services before the SAPS restructuring and at the current time?

It was noted that services were provided by CP members, who are now called FCS members, and continue to deliver the services along with new FCS members who have not been trained. In domestic violence cases and in many sexual offences against adults, the general detectives provide the service.

Accessibility of services to victims in terms of location and areas of operation

Respondents noted that services were previously only accessible to urban communities. Subsequently access in rural communities is improving and services are thus more accessible to people; the service delivery radius for units/stations had decreased from 150 km to 60 km resulting in improved reaction times, better feedback to complainants and after-hours access to the service along with general time-saving to members. It was also noted that prior to restructuring, the standby detectives' contact details were not available but that subsequently rosters have been made available to other stakeholders.

Prior to restructuring, managers of units had training but this is no longer the case and it was noted that there is now a higher turn-over of staff from a previously more stable pool of detectives.

Respondents noted that people know what CP units were but FCS is still unknown and that awareness raising is important.

Respondents from one area noted that previously the CP unit rendered services to 21 stations of the SAPS but that subsequent to the restructuring only 6 stations are served by that unit, and 15 stations don't receive services.

It was noted that working in clusters brings both advantages and disadvantages and respondents raised concern that people in rural areas still don't have access to services due to lack of trained members and due to insufficient members.

Some respondents felt that the prosecuting services had become more accessible to them as a result of the restructuring but that access to medical services had become worse. Forensic social workers were and have remained inaccessible.

It was noted that access to health and medical services was previously poor and that this has remained so subsequently.

Finally, compensation was previously inadequate and compensation to detectives was now even worse.

Availability of resources for the provision of these services

Detectives

The general response from respondents to this question is that the numbers of detectives available to deliver on the FCS

mandate was inadequate prior to the restructuring and that to a large extent this has remained unchanged subsequent to the restructuring. In addition one group noted that although there is a member available for each cluster station, this is insufficient to deal with the workload. Only one group was of the opinion that in their locality there was sufficient staff prior to restructuring and that the restructuring had resulted in understaffing.

It was noted that previously a CP unit had rendered services to 21 police stations, and that there had been a shortage of detectives to manage the caseload of those stations. The caseload of the detectives has subsequently been improved in this area through narrowing the number of stations served down; however, this has been at the cost of quality services to 15 of those stations.

It was raised that management had been affected by the restructuring in that previously there were a greater number of skilled and specialised managers to guide FCS personnel, and the restructuring has resulted in fewer managers being in a position to effectively manage this service. Problems that existed previously regarding lack of performance management, promotion and career-path opportunities were noted as being unchanged as a result of the restructuring and remain a problem.

Respondents noted that in spite of the fact that new detectives had been appointed or assigned to FCS matters the fact that they had not been trained prevented them from actually delivering FCS services.

Vehicles

All groups, except one, agreed that there had previously been insufficient vehicles available to manage the case load. The one group indicated that they had sufficient vehicles prior to the restructuring and that this is no longer the case. This is consistent with the feedback of another group which noted that previously in certain areas vehicles were available but not in others and that this remained a problem. And yet another group which indicated that prior to restructuring it was only CP units that had access to adequate vehicles and none of the other crimes units. One group reflected that the allocation of vehicles is not matched with the number of FCS cases receiving services. The issue of budget allocation at station level for resources for FCS services was highlighted as being problematic.

Victim-friendly facilities

Respondents agreed that there had been no change to this as a result of restructuring: there was and is a lack of victim-friendly facilities in the province. It was noted that previously there were only two places that could be called victim-friendly and only Klerksdorp had access to one-way glass rooms.

Other equipment

The majority of groups indicated that equipment was insufficient before restructuring (being worse in some areas

than in others) and that this is worse than before. One group indicated that this is as a result of budgeting priorities at station level. Only one group was of the opinion that there was sufficient equipment available before restructuring and that this has not changed.

Respondents noted that in the period around the restructuring the National Prosecuting Services have seen increased access to resources in the province having been allocated briefcases, phones and robes, likewise respondents noted that Social Development staff had received phones and laptops.

Skills and personal qualities of detectives

Skills

Respondents generally indicated that access to training had been better prior to the restructuring with the result that members were skilled to investigate the CP cases. Respondents indicated that training was better, that there was enough training and that training was more structured. It was noted that training is still being provided, however, it is strongly noted that this is going 'slowly', that individuals are not accessing training and that as a result members are now not skilled to provide the service.

One group also commented that while screening was viewed as essential prior to the restructuring this is no longer the case with the respondents noting that screening is no longer necessary.

Two groups had a very different view, one noting that there had previously been no training and that this has remained the case and another noting that previously training had been good and that this has improved.

Personal qualities

There was consensus amongst all groups that prior to restructuring there had been positive attitudes and good morale in the service. It was noted that members were committed, compassionate and had an interest in children. All groups except one raised serious concern regarding the negative impact of the restructuring on this, including that not everybody is skilled, confusion as to the future of the service, and lack of motivation. People noted that they feel demoralised as a result of lack of support and resources, feeling overloaded with cases and having little prospect of promotion or compensation for work that is considered specialised. Only one group experienced no change in the positive level of commitment of members subsequent to the restructuring.

Strengths and weaknesses of services before and after the restructuring

Respondents note a greater number of *strengths prior to the restructuring* than subsequently. These include that the quality of the service was better as a result of having sufficient resources for the areas served, staff who had received specialised training to work with the children and victim-friendly facilities. Various groups of respondents noted

positive qualities among members prior to the restructuring including that members were committed, motivated and took pride in their work, that there was team spirit as a result of members working together in one building and that members felt supported. It was also noted that relationships with stakeholders were good in areas with CP units prior to restructuring. Some respondents attributed these benefits to the fact that the service (where it was available) had been well structured previously.

However, certain *weaknesses* were raised regarding the service *prior to restructuring* including that there was insufficient staff with limited resources to address the FCS mandate throughout the province and that long distances were problematic to service delivery. Also, there were insufficient victim-friendly facilities and that there were no opportunities for promotion within CP or FCS services. One group also indicated that structures were autocratic.

Respondents identified a range of **strengths as a result of the restructuring**, including that a larger geographical area of the province is serviced, thus improving access generally; that there are more staff and that members are responsible for smaller areas which has resulted in a decrease in the workload and an improvement in the quality of service to those victims affected. It was also noted that there are areas in which more resources have been made available than was previously the case and that service delivery has improved there.

One group of respondents made reference to the fact that, where structures in the past were autocratic, there is now 'a certain form of democracy', possibly even too much.

It was also repeated by one group that the quality of service to victims by the National Prosecuting Services has improved in the province at this time.

Weaknesses as a result of the restructuring

Increase in workload

The increase in workload in some areas, which has not been accompanied by an increase in resources particularly as a result of the change from CP services to FCS services. Most groups of respondents raised concern at the inadequate human resources for FCS services in the province. It was noted that existing resources had been diluted from a few units to the whole province and in some areas resources were reallocated from FCS for general investigations. Concern was raised at the lack of dedicated resources to FCS services at station level. It was noted that the restructuring had a mixed impact on service delivery, with the quality of services improving considerably in some areas but being removed entirely from others. The example was given of one unit that had previously served 21 stations, but as a result of the restructuring the unit serves only six stations. The service for those six stations is thus improved but the other 15 stations are in a worse position than before because where capacity was sent to these stations it was insufficient to carry the workload and trained individuals are often expected to investigate other cases.

It was repeatedly raised that insufficient members have been identified to manage FCS cases in the province and that this results in overloading FCS members who end up carrying greater case loads than general detectives. By way of explanation it was noted that a single FCS member can be responsible for managing all of the cases from about six police stations whereas general detectives investigate cases only from the station at which they are based. An example was made of a detective managing 60 child abuse dockets at one time. The province was urged to make more officials available to manage these cases. A respondent cautioned, however, that in creating more capacity to manage these cases in the province it is important that proper screening and selection be done for officials with the passion for this kind of work, this respondent stating: 'They must not just like it they must love it.'

The model requiring individual members to work in isolation at different stations as opposed to through a unit, was seen to place extra strain on individual members dealing with FCS cases, particularly where many villages are served. An example was made of Wolmerstad where a single individual is working on Child Protection cases as well as undertaking general investigations. It was noted that this member is expected to be on standby on a permanent basis and that there is no replacement for this person to take leave. It was noted that there are only seven individuals to manage the entire FCS caseload in Klerksdorp and that Zeerust requires a unit.

The issue of capacity to carry the case load was not only raised in terms of insufficient members being assigned to the number of cases but also to the fact that the increase in mandate results in a significantly increased case load but that resources and skills to manage this had not been made available, one respondent noted that this had the impact of decreasing access to these services.

The lack of training

In addition the issue of workload was linked to the lack of training. Respondents noted that high case loads without the appropriate training exacerbates the trauma experienced by detectives. A poor training plan for the province was also viewed as a significant problem. It was noted that an accessible service is dependent on members accessing training and that the restructuring process had been undertaken without building the capacity of officials through training. Concern was raised that at the time of the workshop, the majority of new individuals managing these cases had not been trained and that many who have been trained are, at times, assigned to investigate general cases and the skills were thus not being applied to FCS cases. In respect of members who were previously members of the CP unit it was noted that although the name had changed to FCS, those members had not received training in the new crimes covered by the mandate. The necessity for training in statement-taking was emphasised. This was viewed as essential in order to ensure that the statements stand up in court.

Training for provincial and station level managers

In addition to the skills of the members, the absence of a process to sensitise commanding officers was raised. A group of respondents indicated that provincial managers of FCS services must receive specialised training in service delivery to these categories of victim in order to better support detectives who are operating at station level and experiencing difficulties with station management. It was noted that this lack of expertise in provincial managers results in FCS detectives being expected, by Provincial FCS management as well as by station management, to manage cases in the same manner as general detectives do.

Respondents indicated that the primary concern regarding this is that in general detectives take an approach that focuses on the perpetrator in investigations – the general approach is not victim-centred as it must be in FCS matters. In addition the point was made that a victim-centred approach is more time consuming, requiring more detailed engagement and interaction with the victim. It was felt that this acts as a deterrent for managers supporting this approach to investigation.

A major problem that was raised is that while FCS training is delivered by the Provincial office to individual detectives, these detectives are managed by the detective or station commander who does not receive the training. It was noted that some detective commanders are not even aware of the FCS mandate let alone the nature of these investigations, they are thus not capacitated to manage FCS services. In addition a respondent emphasised that managers must receive comprehensive training and not only receive the instructions and directives. One respondent recommended that a plan be put in place to ensure that managers receive training.

The lack of uniformity in the rank of management of different units or cluster groups was raised as a concern, with some being managed by inspectors, others by captains and others by superintendents.

Management of resources

A number of issues were raised with regard to station management of resources to investigate FCS matters. Some respondents indicated that it has been unclear as to how resources should be accessed, whether from station management or from provincial detective services. Other respondents commented that individuals and units are now struggling to access resources in some cluster stations as a result of the shift in management from provincial to station level. This situation is further complicated as some members access resources through decisions made by the detective services at accounting stations, others from station commissioners and others from detective services at the stations. Lack of office space was also raised by one group.

In addition the point was made that resources are not specifically earmarked for FCS members and that they must rely on detectives at the station to access resources such as vehicles and cellphones. A number of respondents indicated that in spite of the fact that they are assisting general detectives, there is little or no cooperation from general detectives

in many stations. There was an overwhelming sense that general detectives view FCS members as having received special treatment in the past and that they must be made to 'pay' for this now. This generally means that resources for FCS investigations are difficult to access with FCS cases being last in the queue for resources. Respondents reflected that the community is suffering as a result of this lack of commitment from government to providing adequate resources to these matters.

Respondents noted that access to vehicles in some areas was an enormous frustration and preventing them from fulfilling their duties. Access to cellphones was also raised as a problem. It was noted that Rustenburg only has one cellphone with standby detectives needing to share this, resulting in members using personal cellphones for work.

Inter-sectoral collaboration and other service providers

Respondents raised concern regarding forensic medical services, noting that the Department of Health is not providing sufficient or quality services of this nature and that this creates frustration for FCS members. The further development of Thuthuzela centres in the province was recommended as a possible solution to this. It was noted that the National Prosecuting Services in the province have improved and that a sensitive service has become more accessible as a result of training. Access to information to improve access to services was raised. It was recommended that communication between civil society organisations and government services must be improved to ensure that service providers are informed of the services.

The issue of the provision of and quality of services by forensic social workers was raised. Some respondents felt that at the time of the workshop no-one was taking responsibility for managing the quality of this service in the province. The increase in forensic social workers from one to six is seen as a positive development. It was noted, however, that more forensic social workers are needed in order to meet the needs of the province.

Respondents also indicated that there is a serious need for social workers to assist with removals and case management of children to be on duty and available on a 24-hour basis.

It was recommended that a forum be established at which different role-players can engage on a regular basis.

Uniform quality services

It was noted that in spite of FCS services being available in the province, access to resources is not equal across the province. Access to quality services was noted as being unequal, as a person who is raped in the Potchefstroom area has access to a better quality of assistance than a person in another area as the members were trained to deliver Child Protection services previously.

Boundaries

One group raised the fact that there is uncertainty regarding

the various geographical boundaries which is confusing to uniformed members and community members.

The restructuring as a process

Participants noted that their primary concern regarding the decision to restructure, related to the lack of consultation with FCS members who are experts in these matters and have a good idea of the geographical needs in relation to these cases in the province. When clustering was decided, no consideration was given to the number of FCS cases that the cluster has to deal with. It was also noted that Social Development and NGOs were unaware of the changes taking place.

Suggestions were made regarding possible boundaries that could have been taken into account in the restructuring, this included the magisterial boundaries and the Department of Health boundaries. It was noted that consultation with stakeholders would have improved this.

A source of frustration to FCS members present was that there was no clarity regarding the role of FCS units, where units and members would be moving to and what the status of FCS services will be in the police in the future. One member noted 'we need to know where we will be tomorrow'. The changes that had been made recently and the lack of certainty regarding new direction were seen to demoralise members and respondents emphasised the need for clarity about what will happen next.

CPU was well known, but FCS units are not. Members and even commanders are confused, and unsure of the mandate, and the public is also uncertain. It was suggested that an aggressive public awareness campaign is required, but that there must be care not to cause greater confusion to communities.

Monitoring of FCS Services

In addition to the measures listed below, the following issues were raised during the plenary session:

- ▶ Case flow management must be monitored through looking at statistics and is the responsibility of a range of departments.
- ▶ That managers must be trained, this should be done by auditing who has been trained.
- ▶ The competence and skills of investigations should be monitored through monitoring conviction rates and the outcomes of investigations, this information should be accessed through reports and statistics, and information regarding this should be collected from all role-players including the FCS members.
- ▶ It as noted that information regarding the management of cases should be accessed through delivering questionnaires to community members at grass roots level and to professionals who render services to communities.
- ▶ The quality of medical forensic examinations must be monitored by prosecutors, the Department of Health and FCS members.

| What should be monitored? | What are the indicators? | How can this information be accessed? | Who should monitor this? |
|---|--|---|---|
| Quality of investigation of cases | Conviction rate & decision dockets | Through NPA & SAPS Registers Reports and statistics | NPA & SAPS Integrated approach by all relevant stakeholders and managers |
| Time period for finalising investigations | To ensure that the child should testify within 4 months after reporting the crime | Keeping a register indicating date of reporting crime & date it goes on trial | Joint effort between SAPS and NPS |
| Case backlog | | | Justice |
| Case flow management | Statistics, cycle of cases; | IT, equipment and registers | Integrated approach by all relevant stakeholders and managers |
| Caseload per capita | Number of dockets, inquiries. Should not be more than 30 dockets. A national standard or limit must be set. | Monthly stats | Unit commander |
| Reporting of cases at CPU and whether it was investigated | All reported cases are investigated and monitored | Keeping registers and CAS system | SAPS |
| Medical examination and completing of J88, and testifying in court by district surgeons | Properly completed J88 & testimony in court | Consulting with DS before testifying and training of DS | Health, SAPS and NPS |
| Resources – trained staff | Needs analysis Project supervision Pocket books | Questionnaires to grassroots employees Inspection | Unit commander in conjunction with its members |
| Resources | Cellphones, vehicles, human resources, offices (infrastructure & equipment). Extra funding must be provided for specialised units according to the needs. | Log sheets | National office, provincial office, and units |
| Skills development | Training and appraisals | Workshops and appraisals | Provincial office or unit commander for appraisals |
| Good infrastructure | Forums and monthly meetings | Agendas | Chairperson and forum |
| Accommodation | Furniture; IT equipment; offices | Logistics | Logistics personnel |
| Better salaries and incentives | Motivation of members | Meetings with members | Unit commanders |
| Working hours | Motivation of members | Meetings with members | Unit commanders |
| Favouritism | Appointment of experienced, relevant or unbiased managers | Open door policy and transparency | National office |
| Partnerships | Meetings, workshops, and awareness campaigns | IT; correspondence | All relevant stakeholders |
| Place of safety for victims | Venue; furniture | | Department of social development or SAPS |
| Visible policing | Satellite/mobile police station; Police patrol | Media; conduct awareness campaign | Station management; community policing forum; community members |
| Service delivery | Awareness campaign | Pamphlets; Media | All relevant stakeholders |
| Trauma of FCS members | Debriefing | On request – contracted by SAPS | Professional from outside SAPS because of lack of confidentiality |

WESTERN CAPE

Introduction

The Western Cape workshop was held with 27 participants at the Belmont Square Conference Centre in Rondebosch on 11 July 2007. Participants included 2 representatives from the SAPS, representatives from the Department of Social Development and the Department of Community Safety.

This was the first of the series of provincial workshops. As a result of this, the format used for the Western Cape workshop was slightly different to that used in the other eight provinces, in respect of the way in which the session dealt with the impact of the restructuring on service delivery.

Another key difference in this province is that major efforts towards decentralising to improve access to FCS units was undertaken in 2004. As a result, the national decisions regarding decentralisation that were made in 2006 did not have a significant impact on the provision of these services by the FCS in the Western Cape. Discussion in the workshop focused on the impact of the changes to services post 2004.

This notwithstanding, like at the workshops of the other provinces the main themes covered during the workshop were:

- ▶ Defining high-quality services
- ▶ A comparison of FCS before and after the 2004 restructuring
- ▶ Monitoring FCS services.

Defining High-Quality Services

Before analysing the impact of the restructuring on service delivery, participants were given the opportunity to consider what the ideal should be for service delivery to these cases. They were asked to consider a range of different aspects relating to this. Working groups were established to consider this question. Participants formed groups based on the nature of the offences with which they are engaged, five groups were formed with a focus on either Domestic Violence, Sexual Offences against adults or offences against children.

What cases should the FCS units be handling and what functions/activities should they be undertaking in relation to these?

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|--|
| All sexual offences (including rape, indecent assault, incest and 'sexual abuse') against children. | <ul style="list-style-type: none"> ▶ Investigation ▶ Take statements from younger children ▶ Forensic interviews ▶ Ensuring medical examination takes place and management of crime kits ▶ To provide and be accessible for feedback and communication to complainants and service providers (court dates, bail conditions, progress of the case, etc.) ▶ Maintenance of records ▶ Ensure referrals ▶ Provide support and protection to ensure safety of the child and family through addressing intimidation by the perpetrator and enforcing bail conditions ▶ Testify at bail hearings or other court processes as necessary ▶ Court preparation ▶ Statement must be taken by FCS officer ▶ Monitoring and ensuring quality of services ▶ Integrate with other service providers ▶ Promote safehouses |
| All sexual offences against adults | <ul style="list-style-type: none"> ▶ Investigation ▶ Ensure medical examination and be responsible for crime kits ▶ Ensure protection from danger ▶ Testify in bail applications ▶ Feedback to complainants and service providers ▶ Maintenance of records ▶ Referral to counselling services ▶ Court preparation ▶ Monitoring and managing quality of services ▶ Integrate with other service providers ▶ Promote safe houses |
| Sexual Exploitation in general and within trafficking | <ul style="list-style-type: none"> ▶ Sensitivity to child victims of sexual exploitation ▶ Investigation ▶ Link with other SAPS units ▶ Caring for the client |

| What kinds of cases should the FCS units be handling? | Provide a comprehensive list of what functions/activities you think they should be providing in relation to each of these cases. |
|---|--|
| Domestic violence More serious DV cases as defined in the FCS mandate. | <ul style="list-style-type: none"> ▷ Referral to NGOs and other counsellors ▷ Providing protection to the client or the service provider when going to the home of the victim ▷ To ensure the safety of children in DV cases ▷ Ensure medical examination and record of injuries ▷ Refer for counselling/therapy or investigation by social services ▷ Offer protection from intimidation ▷ Promote safe houses |
| Crimes against children Physical abuse Pornography Abduction Kidnapping | <ul style="list-style-type: none"> ▷ Ensure a single detective on the case ▷ Forensic interviews by FCS ▷ Ensure forensic medical examination ▷ Ensure photographs taken ▷ Testify at bail hearing ▷ Ensure safety of the child ▷ Referral of the child to support or therapy ▷ Information and feedback on the case to child and caregivers ▷ Court preparation ▷ Serving subpoenas ▷ Professionalism ▷ Statement must only be taken by the FCS officer not by any other police personnel |

In which places/locations should the above FCS services be provided?

Participants agreed that the location of services should be guided and prioritised by the extent of need in different areas, with services being concentrated in ‘hotspot’ areas with higher crime rates, such as Khayelitsha and Mitchells Plain. A number of groups added that services should ideally be available across the province and based at as many police stations as possible. Paarl, Stellenbosch, Helderberg, Grabouw, Malmesbury and Caledon were singled out by a particular group for services to be accessible at these stations.

It was noted that services should be delivered from a victim-friendly environment and that although they should be based on police premises or in the area near to the offices, that there should be some separation of offices to ensure protection. The use of Wendy houses was suggested by one group. The development of more ‘one-stop’ centres was suggested by one group: this group emphasised that these should be available on a 24-hour basis and that the centre should be close to the police station.

The necessity to ensure that there are sufficient staff to address the number of cases in a particular geographical area was highlighted. In addition one group suggested that the areas of service delivery should be aligned with the Justice jurisdictions.

Most groups agreed that the *personal qualities* that are relevant to all of the above role-players are that these should be people who are sensitive, committed and empathetic. In addition the following personal qualities are required for the following categories of service providers:

- ▶ *Specialised detectives* should in addition be child-friendly, patient, non-judgemental, reliable and passionate about their job.
- ▶ *Forensic social workers* too should also be child-friendly and patient. In addition they should be emotionally stable

people and be able to handle a crisis.

- ▶ *Medical Officers* should additionally be thorough and passionate about their job.
- ▶ *Prosecutors* too need to have a passion for this kind of work.
- ▶ *Administrative staff* must be people with the utmost respect for confidentiality.

General comments on defining high-quality services

Following the group work, a short plenary discussion was held in order to highlight key issues as well as additional comments. This discussion is reflected in the following themes:

Types of cases

It was agreed by the participants that the FCS must remain focused on all sexual offences and on other crimes committed against children, such as physical abuse, including trafficking where sexual offences are committed. It was noted that child labour should not fall within the mandate of the FCS.

The issue of services towards older children was raised: participants noted that older child are often neglected and their cases are taken less seriously, effectively limiting access to services for older children.

Service providers

It was noted that social workers are seldom involved in these cases, and that the majority of victim support and counselling services are provided by lay counsellors and trauma counsellors. The necessity to recognise the role of volunteers serving in this sector and to retain skilled volunteers for longer periods by providing stipends was emphasised.

The role of social workers and the importance of including social workers in the discussion was raised. Participants questioned what the impact of the restructuring would be on the role of the forensic social workers currently employed in FCS, particularly if they would be based at various police stations.

Who should be providing these services and what skills and personal qualities should they have?

| Who should be providing the service? | What skills and personal qualities should they have? |
|--|---|
| All service providers | <ul style="list-style-type: none"> ▷ Be knowledgeable about rape and its social context ▷ Have training for staff on understanding communication and stage of development of children ▷ Know how to interact with children ▷ Know how to deal with a traumatised victim ▷ Understand the impact of various types of sexual violence including why a child would recant and the grooming process ▷ Be sensitised to domestic violence issues |
| Specialised detectives Including more female detectives | <ul style="list-style-type: none"> ▷ Investigating skills ▷ Interviewing skills ▷ Communication skills, listening skills ▷ Knowledge of appropriate languages for an area ▷ Analytical/integration/strategic skills ▷ Writing skills ▷ Record-keeping and administration skills ▷ Understanding sexual assault, how perpetrators operate and its impact ▷ Children's stages of development ▷ Properly informed on child legislation |
| Forensic Social workers (with an appropriate gender balance) | <ul style="list-style-type: none"> ▷ Counselling skills ▷ interviewing and communication skills including listening ▷ Writing skills ▷ Court preparation skills ▷ Assessments ▷ Administrative/record-keeping skills ▷ Understanding the impact of sexual assault ▷ Children's stages of development ▷ Forensic assessment ▷ Ability to testify as an expert ▷ Understanding of court process |
| Medical Officers | <ul style="list-style-type: none"> ▷ Know how to collect forensic evidence and preparing the form ▷ Well trained in terms of HIV medication ▷ Specialised training in abuse cases ▷ Interviewing skills ▷ Listening skills ▷ Administrative and recording skills ▷ Understanding the impact of sexual assault ▷ Children's stages of development ▷ Understanding the process of sexual abuse ▷ Knowledge about trauma |
| Specialised Prosecutors | <ul style="list-style-type: none"> ▷ Sensitivity to sexually abused children |
| Trauma Counsellors | <ul style="list-style-type: none"> ▷ Victim support throughout all of the above processes |
| Support services | <ul style="list-style-type: none"> ▷ Debriefing for FCS staff members (more regular sessions) |
| Admin staff | <ul style="list-style-type: none"> ▷ Record keeping ▷ Communication skills (answering phones, take messages) |

Collaboration and referral

The need for ensuring better links between SAPS and NGO support services in the province and the importance of ensuring inter-sectoral collaboration on investigation and case management was highlighted. Improved communication between organisations was seen as a way to ensure that victims have access to SAPS officials and other services. It was felt by some participants that there is insufficient co-operation from police services towards NGOs and volunteers and it was suggested that it would benefit children if police provide contact numbers of organisations.

Skills

FCS staff must be victim-friendly: this implies having victim-

friendly services for children, adolescents and for adults. The necessity of ensuring understanding of the impact sexual offences on victims/survivors was emphasised.

The necessity of having 'hardcore' policing skills and 'emotional communication' skills to deal with traumatised people was highlighted. It was noted that a balance of these skills is necessary.

Participants also raised the need for interviewing skills and to develop the skills of officials to undertake proper consultations with victims before making decisions.

Qualities

The importance of screening people in terms of their personal qualities during the selection process before training was

What resources should above personnel have to deliver services?

| Person that should be providing the service | What resources should they have? | What other kinds of support do they need? |
|---|--|---|
| Detectives | <ul style="list-style-type: none"> ▷ Victim-friendly facilities ▷ Office equipment ▷ Vehicles ▷ Cellphones ▷ Cameras ▷ Offices ▷ Sufficient staff ▷ Effective managers ▷ External evaluation with people with strong confidentiality ▷ Enough crime kits ▷ Comfort pack from 0–18 years ▷ Access to forensic laboratory and DNA data ▷ Administrative support | <ul style="list-style-type: none"> ▷ Debriefing and supervision ▷ Access to counselling services for themselves ▷ Continuous training in their area of service ▷ Management of needs of staff, work efficiency, burnout and guidance ▷ Ongoing support, debriefing and people to monitor work load ▷ Emotional support ▷ Promote team building and esteem-building ▷ Performance management |
| Medical officers | <ul style="list-style-type: none"> ▷ Specified resources for victims of sexual assault/ rape ▷ Child-friendly crisis centre ▷ Medical equipment | |
| Social Workers | <ul style="list-style-type: none"> ▷ Car ▷ Computer ▷ Office ▷ Social auxiliary worker ▷ Cellphone | <ul style="list-style-type: none"> ▷ Emotional support ▷ Continuous training |

raised. In addition it was seen as necessary for an appropriate gender balance and distribution to be obtained. It was noted that parents of victims raise the concern that so many men are delivering this service. The perception is that men tend to be the detectives, while women are relegated to desk jobs.

Resources and support

It was raised that sufficient personnel to deal with the number of cases is needed. It was noted that effective management is essential and if management is not effective they are not in a position to guide staff or assess when staff become stressed and require support. It was felt that staff require effective communication and transport resources.

Given the nature of the cases and the offences, the provision of continuous training was raised as a way to ensure that members maintain good practice. In addition, training should be provided on how to use resources properly, such as cameras and televisions and that these should be provided.

It was noted that the nature of the service takes its toll on FCS staff. Members require debriefing and the opportunity to speak to a psychologist to provide them with support and to promote their emotional stability. A participant indicated that there are insufficient counselling services available after-hours and that more resources of this nature are needed.

Participants agreed that resources to units throughout the province should be standardised.

One-stop centres and a 24-hour service

Participants repeatedly emphasised that services should be provided in a one-stop environment. It was noted that it is easier for victims if all the services took place in one location. One participant from a health facility noted that it is

horrendous to see the number of children that are brought in for treatment who have been on the road for one or two days after travelling between various police stations and clinics. She noted that by the time they arrive, the child and the mothers are exhausted. It was also emphasised that these services should be available on a 24-hour basis.

Monitoring

It was noted that external monitoring is necessary. Establishing an external monitoring and evaluating structure to monitor services throughout the province, which is multi-disciplinary in nature, was suggested.

Comparison of FCS Services Before and After the Restructuring

The process followed in the Western Cape was slightly different to that in other provinces as two separate sessions were held, one to discuss services before restructuring and another to discuss services afterwards, this format did not work well and was thus changed in subsequent workshops into a single session that compared services before and after. The information gathered in these two sessions in the Western Cape has been presented in a single section in this document.

In addition this discussion was slightly more complicated in the Western Cape than in other provinces as a result of the development of FCS services in the province from around 2004. At that time the two Child Protection Units had been transformed and extended into 13 FCS units with greater human resource capacity and infrastructure. As a result of this, the nation-wide SAPS restructuring announced in 2006

had little direct impact on the delivery of services in the Western Cape.

Who was receiving services from FCS units/officials before the SAPS restructuring and at the current time?

Participants agreed that prior to restructuring in 2006, FCS services in the province were being delivered to all sexual offence victims, both adults and children, to children who had been physically abused, to child pornography and services were being delivered in domestic violence cases

However it was noted that prior to 2004 sexual offence cases against adults had been provided by station level services and that FCS/CP units only managed the cases of children. In addition it was noted that at this time the CP units tended to provide services only to younger children and that the cases of adolescents were often managed not by the unit but at the police station.

Many participants were unclear of the extent to which FCS units manage domestic violence cases, clearly unaware of the detail within the mandate regarding these cases. In addition comment was made by organisations working with domestic violence that these cases are still not being managed by FCS units on the whole.

It was noted that in the majority of cases the statements were and are taken by station-level police before the case is referred to detectives at FCS.

Which police officials provided services before the SAPS restructuring and at the current time?

It was noted that services were provided by all ranks of police depending on the place in which the service was located, with services after hours being delivered more often by constables than was the case during the day. In addition services to adolescent and adult victims of sexual offences tended to be delivered at station level and not at specialised units. All child abuse cases, including sexual offences against younger children, were managed by CP or FCS units. Statements were taken by uniformed officials at police stations and matters were referred to general or specialised detectives for further investigation. The restructuring in 2004 resulted in a greater number of detectives being employed.

An important new development that was highlighted is the employment of forensic social workers by the FCS units. It was noted that at the time of the workshop these were relatively new and the role and functioning of these social workers would still need to be improved.

Accessibility of services to victims in terms of location and areas of operation

Prior to 2004 there had been two CP units: one in Mitchell's Plain serving the East Metropole Area and the other in Goodwood serving the West Metropole Area. Subsequent to the restructuring in 2004, 13 FCS units were formed, members from the two CPUs were redeployed to other FCS units and additional staff capacity was created to ensure sufficient

staff to manage the case load. The nature of the change in the province is thus assessed based on the changes in 2004 as there was no significant change in 2006.

The names of the 13 units are: Langa, Steenberg, Nyanga, Elsie's River, Delft, Khayelitsha, Paarl, Vredendal, Worcester, Caledon, Mossel Bay, George and Oudtshoorn. Units were not all situated directly in the community that they should serve and units all cover a greater number of communities than that implied by the name of the unit.

Participants provided the names of a number of other communities that are served by FCS services, including Cape Town, Mitchell's Plain, Phillipi East, Wynberg, Bellville, Atlantis, Belhar, Bluedowns, Grassy Park, Harare, Lingeletu, Strand, Crossroads and Woodstock.

Availability of resources for the provision of these services

Detectives

Restructuring in 2004 significantly increased human resource capacity. Prior to the restructuring in the province in 2004 there were 30 investigating officers who were managed by two commanders. Subsequent to the restructuring, FCS was served by 220 members who were managed by 13 commanders.

It was noted that detectives serving Mitchell's Plain, Helderberg and Paarl were insufficient and thus overloaded. It was repeatedly raised that there were never enough detectives to meet the demand in terms of the number of cases requiring investigation. Detectives thus carried huge caseloads and had difficulty with time and task management.

Vehicles

The number of vehicles available to CP and FCS services prior to 2004 was 15, this was increased to 110 subsequently.

However, the number of vehicles allocated does not mean that they are all available. Participants indicated that there are generally not enough vehicles available to undertake the work and that marked vehicles and vans were sometimes used to go to the victims' homes and to transport victims. Participants noted that some areas do not have sufficient vehicles with the result that victims wait for long periods at some police stations.

Specific information was provided regarding two areas: it was noted that there are insufficient vehicles available in Mitchell's Plain where vehicles are not available when needed and that there are no problems with vehicles in the Helderberg area.

Victim-friendly facilities

It was noted that most police stations do not have access to any victim-friendly facilities; that some have victim support/trauma rooms; and that victims at some police stations have access to care packs but these are not always accessible. Victim support/trauma volunteers are available in some areas. In other areas, FCS offices, NGO offices and Health

facilities may have appropriate victim-friendly facilities. Victim-friendly facilities are not generally available and are not standardised across police stations and units. It was agreed that the victim-friendly facilities at most police stations, FCS units and hospitals must be improved. The Simelela facility in Khayelitsha was seen to be the site of an improved victim-friendly and victim-centred service.

Other equipment

Some participants noted that since they are not SAPS officials they found this difficult to respond to.

It was noted that the province had made more computers available that ensured that each unit had at least three computers and one camera subsequent to 2004. In addition more effort was made to ensure that units had access to comfort packs.

Lack of access to the Internet to the investigation of web-based pornography was raised as a serious obstacle.

Some groups indicated that there was poor access to computers and phones for members. This lack of communication with FCS members was keenly felt by NGO service providers who had difficulty reaching members on cellphone numbers that have been provided. One group indicated that they were 'not allowed' to contact FCS members on their cellphones.

One group noted that a range of other resources would be helpful: these included FCS members having access to email; the need for Government Information Services to map resources and service providers in all areas and make this available to members; and for members to have business cards with the contact details of the detective and of the social worker to give to the victim.

Skills and personal qualities of detectives

Skills

Again, responses to this section varied considerably between different groups: responses were generally dependent on the area, and on those police with whom participants tend to work.

In terms of the training available to detectives, it was noted that prior to 2004 there was a limited range of training available to CP unit detectives but that subsequent to restructuring a wider range of training options are available depending on the needs of the detectives. One group noted that not all detectives have had access to the training that is available.

One group of participants indicated that the most skilled detectives were those who originally worked with the CP units, and that newer members did not deliver the same quality service.

Poor quality of communication regarding feedback to families and victims and even to other role-players was noted. In addition many members are not child-friendly, and have a poor understanding of children's stages of development and their language ability. While it was noted that some members have good interviewing skills, it was emphasised that these are mostly poor and that sensitivity to the needs of the child

and family was seen to be lacking.

One group of participants indicated that members generally were not aware of or lacked understanding of the laws regulating the rights of children.

One group of participants noted that they experienced FCS members as being victim-friendly and sensitive. The dedication and passion for their work felt by and displayed by many members was noted as a strength of the service provided by SAPS. Another group noted that detectives displayed empathy, compassion and dedication.

Personal qualities

One group recommended closer attention be paid to the selection of detectives. The SAPS indicated that psychological testing and assessment was used in order to identify members.

It was noted by participants that the personal qualities of detectives differ among different detectives and groups of detectives, ranging from exceptionally good to extremely poor. A distinction was made by one group of participants: members who had come through the CP units tended to be well trained, to look at cases holistically and show passion and have interpersonal skills, whereas recently joined members of FCS units still require further information and training.

The majority of participants raised negative personal attitudes and qualities among some members, including: indifferent attitudes towards victims and that some are judgemental especially towards older children; that there is a lack of clarity regarding roles and responsibilities in terms of who is required to take victim reports; the harsh attitudes of some members was raised as a problem as this intimidates and threatens victims; cruel and rude language from individuals that discourage victims but that there are more positive attitudes of members in other areas; problems with insensitivity to requirements of confidentiality were raised, with members having inappropriate discussions about cases. One group indicated that attitudes had improved since the restructuring.

The issue of attitude towards older children and adolescents was raised repeatedly by different groups of participants: this included noting that there were judgemental attitudes towards older children, that there is less empathy towards adolescents and that attitudes to children older than 12 must be improved.

Other comments

General comments made by participants include that members are generally overworked and that this impacts on their ability to be thorough in the treatment of each case. This also results in high 'burnout'. Similarly another group indicated that members try their best under very difficult circumstances and suggested that the areas served are still too big.

Strengths and weaknesses of services before and after the restructuring

The points below were raised and have been themed.

The restructuring as a process

There was confusion caused by the nature of the language used to describe the restructuring, such as 'redeployment', 'decentralisation' and 'closing down'. Participants felt that a common understanding of what was at issue was necessary.

It was unclear on what basis the decision to close FCS units and relocate services was made at national level. The concern was raised that this decision was not based on what would be best for child victims and victims of sexual offences. Participants questioned whether research had been undertaken before the decision to make changes in FCS services as it was felt that the changes were of greater benefit to management and could possibly benefit other services but that the decision nationally to close FCS units was not in the interests of these victims. The decision was perceived as being top-down with no consultation within the units themselves and no consultation with other role-players

It was noted that the process in the Western Cape was different to that in other provinces. There has been commitment in the province to creating greater capacity to the units and opening a greater number of units, and members of units have not been redeployed to other services. This restructuring resulted in:

- ▶ The significant change from 30 officials with 15 vehicles at two sites prior to 2004 becoming 220 officials with 110 vehicles at 13 sites subsequently.
- ▶ The employment of approximately 27 forensic social workers to undertake work with victims such as providing reports for court.
- ▶ A greater number of women in commanding positions as a result of restructuring.
- ▶ More access to vehicles and a greater number of victim-friendly facilities.

The province has given a commitment to ensure that this continues. Ultimately the province intends to have a FCS located at each of the 28 accounting stations in the province.

Mixed messages from national and province to members on the ground regarding the restructuring have caused confusion among members and concern for job security. In addition mixed messages that were received at the beginning of this process had the effect of creating insecurity and demoralising members who were uncertain of their future place in the service. Tensions were created as people were uncertain. In addition it was felt that information was distorted and diluted by some members and by the media. Information on the restructuring has not been communicated widely enough to the public or to service providers. It was felt that a comprehensive document that describes the restructuring for FCS members and service providers would be helpful. It was noted that poor communication to the

public undermines trust between the public and the SAPS.

A major impact of the restructuring in 2004 resulted in confusion regarding the management of individual cases: where members were moved to different units it was unclear to victims where to get assistance – they would go to the same unit only to be told that their investigating officer had moved. It was felt that this could have been avoided by more careful planning and better change management.

It was emphasised that in spite of confusion there are no changes in services available since 2004 and that this was a major strength in the province. In addition the fact that the SAPS were motivated by making specialised services more accessible at community and station level was raised as important.

It was also seen to be a strength that SAPS in the province acknowledged some mistakes and sought to rectify these, such as improving communication and interaction with service providers in the province.

Access to training

Restructuring has resulted in well-trained officials in terms of policing, attitude, etc. There is also greater visibility of FCS services. Expertise is being and can be developed further as a result of members being focused on particular categories of cases. The question was raised as to who is providing training and it was pointed out that certain members of the NGO sector are in a position to provide relevant training.

Multi-disciplinary approach

The multi-disciplinary and collaborative approach, including consultation with other experts and employing social workers was raised as a strength by a number of groups of participants. The efforts of Delft, Khayelitsha, and Elsies River FCS towards networking were specifically highlighted by one group.

Dedication

A number of groups raised members' commitment, dedication and passion for the work as a strength. The fact that some members go the extra mile, some even using their own resources to assist victims was appreciatively commented upon. In addition the focus on victims of violence means that more members are now developing expertise.

Child-friendly services

One group of participants indicated that while it is a strength that services are child-oriented, this has not meant that members have the ability to communicate with or assess children or that services are necessarily child-friendly.

Communication

A strong theme that was raised as a weakness related to problems with communication within units; with survivors, their families/ support structures on progress of cases; and with the external multi-disciplinary team. Poor communication

between the police stations and FCS units was also identified. It was noted that there was confusion between police stations and FCS. Furthermore, office numbers and standby cell numbers have not been consistent and contact has been made more difficult by this.

Having enough detectives speaking languages appropriate for victims from certain areas was seen as a problem as detectives could not always take statements in the language of the client. The ability of detectives to communicate with children was noted as being lacking.

Lack of information to victims and their families was emphasised by a number of groups, noting that many victims are unaware when their cases have been withdrawn. Areas where information is not provided include: that some victims are not subpoenaed in time and only find out about the case after the date – and after the case is withdrawn; that victims are not informed on the status of bail and release of offenders on bail. It was noted by one group that this lack of information results in further trauma to the victims. It was noted that protocols requiring feedback every 14 days are not followed.

The lack of a clear complaints mechanism to address problems with FCS units and members was raised as a problem.

Referral to support services

Referral to counselling, therapy and court preparation was noted as a problem. Impact reports are not being requested from social workers and this negatively impacts on court processes. It was noted that capacity to assess children and report-writing for court is generally a major weakness impacting in many cases in withdrawal.

Under-resourced context

The issue of capacity and resources was highlighted repeatedly as a weakness. It was noted that staff were under-resourced and over-stressed and that this resulted in less reliable detectives who sometimes miss appointments with victims. In addition poor follow-up regarding the violation of bail conditions was raised as extremely concerning to one group.

Domestic violence cases

The fact that domestic violence was not addressed prior to 2004 was noted as a problem. However, it was also noted that the restructuring does not seem to have made any difference in services in domestic violence cases as these all still seem to be managed at police stations.

Medical services

There has been and is a lack of coordination between FCS officials and health services. FCS officials are not supported by many medical facilities, with some facilities refusing to see children and making children wait for long periods before being examined, this re-traumatises the child.

Other strengths that were raised include:

- ▶ The provision of transport to victims to court was raised by one group as another strength. Although another group noted that there was insufficient access to vehicles.
- ▶ Because there were only a few members and CP units it was seen as a strength that it was previously easier to identify who to consult on cases.

Other weaknesses listed by different groups include:

- ▶ Time delays in cases.
- ▶ That protocol is not always followed by police stations regarding taking the statement and registering cases.
- ▶ That there are more males than females.
- ▶ Difficulties during shift changes (difficult to get transport, policemen changes).
- ▶ Offices are located in one area but the community that they serve is in a different area.
- ▶ It was noted by one group that when there were only two CP units, accessibility was a greater problem as a result of the areas of location.
- ▶ Lack of administrative staff.

Helderberg

Unlike all other groups, one group of participants, which included key service providers in one area, indicated that they experienced a better service when the services were delivered by detectives from that police station to children. In this community effort had been made over a number of years to ensure efficient services. Participants from this community indicated that the restructuring had had a negative impact on service delivery as they felt there were more personnel for the community before restructuring with more people available to attend cases. This group also noted that there was previously more personal contact with investigator at the police station and the service providers in this area and that the police officer was more readily available. The quality of detective services to this area was seen to be significantly poorer, with less access, poor communication, poor follow-up and a lack of case information provided to victims and role-players. It was noted that new members seem not to have been trained and lack skills to work with victims.

Monitoring of FCS Services

The participants were of the opinion that several aspects of SAPS FCS service delivery ought to be monitored (see table).

In conclusion, participants were of the opinion that it was necessary for evaluation forms to be given to a wide range of people to evaluate all services to children.

Aspects of SAPS FC service delivery ought to be monitored

| What should be monitored? | What are the indicators? | How can this information be accessed? |
|---|--|---|
| Response time | ▷ How long since disclosure to SAPS and time FCS arrives | ▷ Evaluation forms for SAPS and NGO members ▷ Database ▷ Records |
| Response time for medical attention | ▷ Hours taken ▷ Minimum 1 hour | ▷ Complainant ▷ Rely on police |
| Interviewing skills | ▷ Child friendly ▷ Age appropriate ▷ Sensitivity to child's response to FCS member | ▷ Evaluation forms ▷ Supervision for FCS members by knowledgeable superior officer |
| Quality communication skills | ▷ Requesting reports from social workers with due notice ▷ Notifying victim of court date, progress of case and bail for perpetrator | ▷ Evaluation/interview of external service providers ▷ Feedback from court personnel & victims |
| Feedback given to clients re court cases | ▷ A form to indicate whether client is happy with the service ▷ Evaluation system regarding all service providers | ▷ Evaluation forms for health, prosecutors ▷ 360 degree exercise (friends of child PU) ▷ Evaluation by everyone |
| Investigating Skills | ▷ Number of arrests ▷ Success rate of court cases | ▷ Courts ▷ SAPS |
| Skills and expertise | ▷ Implementation of training ▷ Regular appraisals ▷ Skills development plan for unit | |
| How many cases which are reported are successfully prosecuted and conviction rate | | ▷ Working with FCS ▷ Court Dockets |
| Cases that are closed | | ▷ From the SAPS they have a system monitoring cases withdrawn ▷ Dockets from courts |
| Statement-taking | ▷ How long to take statements? ▷ Language ▷ Time ▷ Efficiency ▷ State of victim | ▷ Complainant/caregivers ▷ Police |
| Referrals | ▷ Timely referrals for assessments and therapy to external service providers | ▷ NGOs ▷ Court personnel ▷ Referral forms and corresponding statistics |
| Debriefing of FCS members | ▷ Regularity ▷ Compulsory ▷ Who | ▷ Statistics ▷ Police |
| Number of cases reported/types of cases/compliance with mandate | ▷ Number of cases reported and types of cases | ▷ Dockets analysis ▷ Case files ▷ Annual reports ▷ Polices stats ▷ Media reports |
| Case loads | | ▷ Case files |
| The outcomes of cases | ▷ Number of cases withdrawn and reasons indicated ▷ Number of cases successfully prosecuted ▷ Number of convictions | |
| Capacity of the unit | ▷ Number of posts ▷ No. of cases per ID ▷ Resource allocation | ▷ Interviews where data does not exist |
| Training and quality of training | ▷ Compulsory ▷ Continuous ▷ Professional ▷ Give annual points for training received and make receipt of such points compulsory for selection to FCS | ▷ Attendance registers ▷ Evaluation of learning outcomes after attending training |
| Public Service Act personnel | ▷ Number of incoming calls ▷ Provide training for telephone ethics | ▷ Proper record keeping |

| What should be monitored? | What are the indicators? | How can this information be accessed? |
|---|---|--|
| Quality of services | <ul style="list-style-type: none"> ▷ Survey – questionnaires to be provided to victims ▷ Number of complaints against officers | <ul style="list-style-type: none"> ▷ NGOs ▷ SAPS |
| Monitor whole process which children have to go through | | <ul style="list-style-type: none"> ▷ From children and caregivers |
| Accessibility of services | <ul style="list-style-type: none"> ▷ What is available in the community ▷ Compare policies ▷ Availability of staff ▷ Contact details | <ul style="list-style-type: none"> ▷ Database ▷ Policy ▷ People who had reported cases (survey) |
| Proper management | <ul style="list-style-type: none"> ▷ Resources ▷ Maintenance of equipment ▷ Resource allocation ▷ Resources and equipment that function optimally | <ul style="list-style-type: none"> ▷ Asset register |
| Capacity building of FCS | <ul style="list-style-type: none"> ▷ Logistic and HR resources and training | <ul style="list-style-type: none"> ▷ Through regular forums/SAPS ▷ Provincial anti-rape forms |
| Compliance to their mandate | <ul style="list-style-type: none"> ▷ Measuring no. of cases taken on against cases referred by SAPS (i.e. DV cases) | |
| Consistency in sentencing (especially in serious cases) | | |
| Staff wellness | | |
| Implementation of child protection register and register for perpetrators | <ul style="list-style-type: none"> ▷ Implementation of register | <ul style="list-style-type: none"> ▷ Child protection register |

In response to the restructuring of the Family Violence, Child Protection and Sexual Offences Units (FCS Units) of the South African Police Service (SAPS) in 2006, RAPCAN undertook a research project to assess the impact of the restructuring on services to victims, and review these developments in the context of international trends. This report presents the findings from provincial workshops and a literature review of international developments, and analyses developments in SAPS policy in the context of trends in comparable countries.

ABOUT RAPCAN

RAPCAN (Resources Aimed at the Prevention of Child Abuse and Neglect) is a registered section 21 Company, non-profit organisation and public benefit organisation based in Cape Town. Its work is focused on the prevention of child abuse and neglect and the promotion of children's rights, and it operates locally, at provincial and national levels in South Africa, as well as in the SADC region.

RAPCAN's is committed to ensuring that the rights of children are realised, by working within a preventative framework towards the protection of children. It works to build effective prevention and responsive measures relating to child victimisation and offending through direct service delivery, capacity building, resource development, and dissemination and advocacy.

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